

ESSAYS

IN

POLITICAL SCIENCE

**BY POLITICAL SCIENCE
STUDENTS 1977 - 78**

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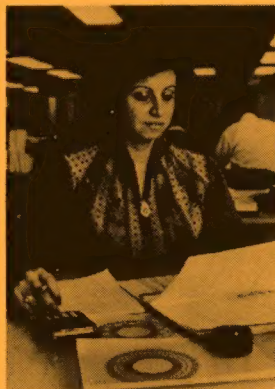
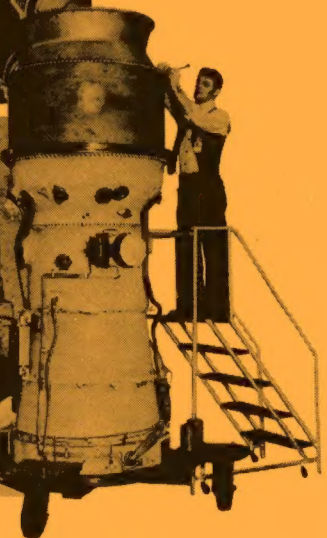


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I N T R O D U C T I O N

Since the inception of the Political Science journal last year, I have received many enthusiastic inquiries as to when this year's edition will appear.

It is my intention to continue the publication of this review in the hope that one day, it will become a tradition in our faculty.

At the threshold of this academic year, I am pleased to be able to present some of the best essays of 1977-78, written by our colleagues, many of whom have already left this institution.

I hope that these papers will serve as an example to you, and hopefully also, as an encouragement.

It would be wonderful if when your turn comes around, that you would be able to contribute in a position fashion to the next edition. Best wishes for the remainder of the year.

I would like to particularly thank Dr. E. Price, the Chairman of the Political Science Department, for his invaluable financial and moral encouragement. A second person who deserves a special thanks, Mrs. B. Gilligan, our secretary, for a multitude of little things which turn out to be of great help.

SOPHIE BELINA BRZOZOWSKA,
Editor.

I N T R O D U C T I O N

Notre journal naquit l'année dernière et fut accueilli avec enthousiasme. Il s'agit maintenant de continuer et d'en faire une tradition dans notre faculté.

Au seuil de cette année académique, je suis heureuse de pouvoir vous offrir les meilleurs essais de l'année 1977-78, écrits par nos collègues, dont beaucoup ont déjà quitté l'Université.

J'espère que ces travaux vous serviront quelques fois d'exemple et souvent d'encouragement.

Dans l'espoir qu'à votre tour vous contribuerez par la suite à la prochaine édition, je vous souhaite à tous, une excellente et enrichissante année.

SOPHIE BELINA BRZOZOWSKA,
Editeur.

P.S.S.A. EXECUTIVE 1978-79.

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OFFICE LOCATED AT:-

6391 Sherbrooke St. West,
Centennial Building,
Room 103,
Tel.: 482-9280, local 20
Montreal, Que. H4B1 R6

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LA BELGIQUE VERSUS LE QUEBEC

PAR

THERESE JEAN

INTRODUCTION

Il n'est pas rare de nos jours d'entendre des discours sur la solidarité ou encore sur les besoins d'une unité nationale. En effet, c'est maintenant chose courante, car, chez tous les peuples confédérés ou fédérés, leur politique intérieure ne se joue-t-elle pas sur la question de l'unité nationale? On donne tantôt à gauche, et tantôt à droite, pourvu que les parties en cause trouvent un peu de satisfaction; on entend dire "le pays est encore une fois de plus sauvé" ou, "notre pays offre un bel exemple d'unité dans la diversité", et j'en passe, car que de slogans ne faut-il pas entendre lors des campagnes électorales.

Toutefois, un pays ne se bâtit pas sur des promesses, pas plus qu'il ne s'établit sur des slogans ou se nourrit continuellement de mythes et d'illusions. Un pays se construit par la force de travail d'une collectivité, le tout constituant une réalité géographique que l'on nomme "nation". Des exemples de confédérations ou de fédérations ce n'est pas cela qui manque. On a vu dans l'histoire des groupes, des collectivités se fondre pour tenter de fonder ce que l'on appelle une nation dans un même pays sous un même toit, et après...

Le but de ce travail est de se concentrer principalement sur deux cas particuliers qui nous offrent des exemples de deux collectivités respectives vivant de part et d'autre sous un même toit, soit la Belgique et le Québec. Nous tenterons de tracer un parallèle entre ces deux entités, chacune formée de deux communautés culturelles

distinctes, soit pour la Belgique un groupe d'expression néerlandaise - les flamands - et un groupe d'expression française - les wallons - , et soit pour le Québec un groupe d'expression anglaise - les canadiens anglais du Québec - et un groupe d'expression française - les québécois ou les canadiens français du Québec-.

Ne vous méprenez pas car ce parallèle est sans aucune intention fortuite. Par le passé, ces deux communautés nous ont démontré à maintes reprises qu'il existait au sein même de leur pays respectif des problèmes de cohabitation. On a tenté d'examiner la cause de ces différends et, après étude, on les a qualifiés de "problèmes linguistiques". Voilà, on pensait qu'aussitôt la cause trouvée il ne s'agissait que de prescrire un remède. Aussitôt dit, aussitôt fait.

Le remède: des lois linguistiques; il fallait y penser me direz-vous, bien sûr, seulement on a oublié de prévoir un antidote, résultat: le problème est encore là, et loi pardessus loi ça vu en s'envenimant. Si bien que l'on est plus trop certain sur ce qu'est la cause du problème. On commence à douter de sa nature linguistique puisqu'il se répercute à d'autres niveaux.

Loin de prétendre que ce travail sera le remède aux problèmes de coexistence de deux communautés respectives, il tentera seulement, et cela bien humblement, de voir en quoi la Belgique et le Québec se ressemblent, et surtout de voir ce qui se cache derrière le portrait linguistique, quelle est leur toile de fond.

Ière PARTIE: LA BELGIQUE

LE PROFIL BELGE

La Belgique, petit pays situé au coeur de l'Europe entre la France, l'Allemagne et les Pays-Bas, comprend l'une des plus fortes densités en population du monde. En effet, plus de 9,7 millions d'habitants sur 30.514 kilomètres carrés, soit 320 habitants au

kilomètre carré, vivent à l'intérieur de ce pays.

Indépendante depuis 1831, la Belgique ou le Royaume de Belgique a pour statut politique une monarchie constitutionnelle. Cependant, on constate que depuis les révisions constitutionnelles, la Belgique a traversé une période de transition, soit de l'état unitaire vers un état fédéralisé ou communautaire. Composée de neuf provinces Anvers, Brabant, Flandre Occidentale, Flandre Orientale, Hainaut, Liège, Limbourg, Luxembourg et Namur, la Belgique se divise en trois régions, la Flandre, la Wallonie et Bruxelles. Sa capitale est Bruxelles et ses principaux centres urbains sont Antwerp, Ghent, Liège, Charlevoix, Louvain, etc.

Couronnée de deux langues officielles, le néerlandais et le français, la Belgique est caractérisée par un dualisme culturel et linguistique entre le parler néerlandais de la région Nord (Flandre) et le parler français de la région Sud (Wallonie) et le bilinguisme de sa capitale Bruxelles.

Dans le nord, on constate que la Flandre est l'une des plus vieilles terres d'agriculture intensive d'Europe. On y fait une agriculture variée combinée d'un élevage laitier important. Autour de Malignes une agriculture, spécialisée dans la production maraîchère, fournit les légumes aux grosses agglomérations du pays. Récemment, le creusement de canaux de communication et de drainage, l'exploitation de gisements riches en charbon industriel et la

naissance d'industries chimiques et métallurgiques on favorisé l'expansion démographique, le développement des villes et le développement économique de la Flandre.

Au sud, la Wallonie est un pays d'industrie lourde. Les mines, les terrils, l'aciérie, les usines métallurgiques et chimiques font de la Wallonie un centre sidérurgique important pour la Belgique.

Ainsi il suffit de parler du Nord et du Sud de la Belgique pour découvrir l'importance des lignes géographiques, car elles sont, à toute fin pratique, les sources de ses principaux problèmes actuels:

"On ne peut comprendre la géographie humaine de la Belgique si l'on n'a pas constamment à l'esprit la dualité fondamentale de la nation belge. La Belgique associe deux communautés linguistiques différentes dont les caractéristiques se traduisent sur le plan de la géographie humaine."
(Belgique, au coeur de l'Europe. Institut belge d'information et de documentation, p. 14)

Maintenant, après avoir tracé quelques lignes sur le profil de la Belgique, nous allons nous arrêter brièvement sur quelques traits historiques importants de la Belgique pour une meilleure compréhension de leur problème communautaire actuel.

2) BREF APERCU HISTORIQUE

Une frontière fictive, linguistique, divise la Belgique en deux communautés culturelles distinctes. La communauté culturelle néerlandaise du Nord, la Flandre, et la communauté culturelle du Sud, la Wallonie; deux faits historiques peuvent expliquer l'origine

de cette situation.

Premièrement, l'invasion Franque du V^e siècle a joué un rôle décisif sur le nord de la Belgique actuelle. A cette époque-là Rome cherchait à étendre son empire et l'on constate - par opposition - que l'influence romane était moins ancrée et moins profonde dans le nord qui avait accueilli en majorité des tribus franques continuant d'utiliser le thiois -un groupe de langues germaniques- que le sud qui de son côté avait été assimilé par la culture romaine. Le sud a donc absorbé les Francs, qui constituaient une minorité, et conserva les idiomes romans.

Deuxièmement, au XV^e siècle la langue française atteint une importance internationale considérable, et devient vite, en Europe, la langue des classes dirigeantes: celle de la noblesse, de la haute bourgeoisie, du haut-clergé, des représentants des pouvoirs centraux. Ce qui fut le cas pour l'Europe le fut aussi pour la Belgique et dans les provinces flamandes tout au long des régimes que le pays connut avant son indépendance en 1830. Ce phénomène peut expliquer la situation pour le moins spéciale de Bruxelles:

"Ce phénomène explique la situation particulière de l'agglomération de Bruxelles. Centre depuis des siècles de la vie politique, intellectuelle et économique du pays, la capitale appartient géographiquement et traditionnellement à la région d'expression néerlandaise. Elle constitue pourtant, dans la partie flamande du pays, un flot bilingue à majorité francophone." (Franz Coppieters, Les problèmes communautaires en Belgique, p. 5)

Cette agglomération bruxelloise, officiellement bilingue mais à forte majorité francophone, centralise l'administration de l'Etat, les banques et les organes de gestion financière et administrative de l'industrie.

Voilà ce qui constitue en réalité les éléments géographiques

des problèmes communautaires: premièrement deux communautés culturelles distinctes et deuxièmement, la position géographique de l'agglomération bruxelloise. Ce que résulte du deuxième facteur historique est le problème communautaire. Il est un fait historique et il a toujours présenté un aspect social très prononcé de la part des flamands.

DEUXIEME PARTIE: LE CONTENTIEUX OU LE PROBLEME COMMUNAUTAIRE BELGE

"Très tard, un soir, je buvais un whisky avec lui dans sa chambre à la Maison Blanche, lorsqu'il me dit: -Vous savez, Oliver, en Belgique, il y a deux communautés qui ne peuvent pas vivre ensemble: les uns s'appellent Wallons et parlent une espèce de bas néerlandais -vous savez que je suis néerlandais d'origine- et les autres s'appellent Flamands et ils parlent ... NON, NON, ARRETEZ. Revenons en arrière. Les uns s'appellent Flamands et ils parlent cette espèce de bas néerlandais. Ils ne peuvent pas vivre ensemble. Après la guerre, nous devrions faire deux Etats, l'un sous le nom de Wallonie, l'autre sous le nom de Flamingie. Qu'en dites-vous?"
 Oliver Lyttelton, The Memories of Lord Chandos, p. 309, cité par le Courrier Hebdomadaire du Centre de recherche et d'information socio-politique (C.R.I.S.P.). Université d'Orégon.

Ces quelques mots prononcés par Franklin Delano Roosevelt, ancien président des Etats-Unis, il y a déjà plus d'un quart de siècle démontrent bien l'ignorance de l'opinion étrangère à l'égard des problèmes communautaires en Belgique, ainsi nommés pour désigner le contentieux entre les deux communautés linguistiques et culturelles. Ce problème ou ce contentieux a été depuis bien longtemps intégré aux articulations spécifiques de la politique intérieure belge et dans ses diverses tendances idéologiques. En voici quelques exemples:

"Pour nous limiter à l'après-guerre, ce phénomène se constata notamment lors de plusieurs événements politiques importants: en 1945, dans le domaine de la répression de la collaboration avec l'ennemi pendant la guerre, en 1950, à l'occasion de

l'affaire royale, in 1955, lors de la lutte scolaire et, in 1960, au cours d'une série de grandes grèves." (Franz Coppieters, Les Problèmes communautaires en Belgique, p. 7)

Voir Appendix 1

Et ce n'est pas tout, ça continue, car, récemment, est venu se greffer au contentieux déjà existant un facteur nouveau, un troisième courant d'opinion: le point de vue Bruxellois. En effet, l'agglomération bruxelloise a tendance à adopter des positions qui lui sont propres. Sans se tromper, on peut dire qu'à divers degrés tous les gouvernements depuis 1944 ressentent la nécessité d'apaiser une inquiétude.

En 1948, on créa le "Centre de recherche pour la solution nationale des problèmes sociaux, politiques et juridiques des diverses régions du pays" -le Centre Harmel-. On publie, en 1958, le rapport final, un volume de 350 pages qui passe en revue l'essentiel des aspects et des activités du pays sur les plans démographique, économique, culturel et politique en fonction de la dualité des populations, et qui seraient à l'origine des problèmes communautaires.

A. LE CONTENTIEUX DEMOGRAPHIQUE

L'évolution démographique dans l'ensemble du pays est peu favorable. Cependant, il est indéniable que la population belge néerlandaise est majoritaire et qu'elle croît sans cesse de façon proportionnelle. Cette tendance apparaît nettement si l'on compare les chiffres, page suivante, avec ceux se rattachant à une période de référence plus ancienne.

En 1930, la population néerlandaise composait 51,14% du total de la population belge, tandis que la population française se chiffrait à 37,17%. Un autre fait important est

aussi à signaler: le taux d'accroissement de la population belge française est inférieur à celui de la population néerlandaise.

Voir Appendix 2

Aussi la population française présente davantage des signes de vieillissement que la population néerlandaise, ce fait est actuellement l'une des principales inquiétudes wallonnes. Bien que la population francophone ait toujours été moins nombreuse que la population néerlandaise, les francophones ont joui d'une priorité de fait. Lorsque les flamands prirent conscience de ce fait, les wallons ont commencé à ressentir de plus en plus leur minorité et les problèmes s'y rattachant.

Les problèmes démographiques se présentent différemment de la Wallonie à la Flandre. Aussi prône-t-on des solutions différentes pour chaque partie différente du pays. Mais on se résigne, d'autre part, à appliquer des politiques familiales de différenciation, car, dit-on., cela provoquera des difficultés au sein d'un pays à Etat unitaire s'engageant dans un processus de fédéralisation de fait.

Etant donné le problème démographique voici une des résolutions proposées par le Centre Harmel:

"Although there is found a comparatively wide diversity in the demography of the country, this diversity is seen less from the Flemish-Walloon angle than from the economic angle. A flexible system, notably as regards family allowances, could be entertained with advantage. Such measures should enable the legislature to make a more effective contribution to a sound demography in the country".

(Robert Senelle. The Revision of the Constitution 1967-71. p. 7)

B. LE CONTENTIEUX SOCIO-ECONOMIQUE

Les problèmes communautaires ne s'arrêtent pas au contentieux démographique, ils se poursuivent également sur le plan socio-économique. Ainsi, il existe des écarts considérables entre le Nord et le Sud de la Belgique. De son côté la Wallonie accuse d'un vieillissement dans sa structure économique et a subi de lourdes crises dans les secteurs qui constituaient sa richesse essentielle soit, l'industrie charbonnière et métallurgique. D'autre part, la Flandre est en retard dans son industrialisation et éprouve certaines difficultés dans quelques régions à abandonner les structures agricoles traditionnelles, ce qui a pour effet un mouvement migratoire.

Le gouvernement, considérant cette dissemblance, formule une politique socio-économique qui se traduit par des lois sur l'expansion économique. L'Etat aidera pour promouvoir l'expansion économique des régions en difficulté. Cette politique impliquait l'aménagement, plus la reconnaissance officielle de zones industrielles en Wallonie et en Flandre. A cause de la pression des événements, la politique d'expansion économique régionale a dû se décentraliser. Il en résulte la création de départements distincts pour l'économie régionale wallonne et pour l'économie régionale flamande. C'est ainsi que la loi du 15 juillet 1970 sur la décentralisation économique prend forme.

Si l'on regarde maintenant les investissements qui ont été effectués dans le cadre des lois sur l'expansion économique, on s'aperçoit que la solution au problème socio-économique n'est pas pour demain:

"Les problèmes sont loin d'être résolus. En effet, l'un des plus graves demeure celui de la répartition des crédits de l'Etat entre les deux communautés."
(Franz Coppieters. Les problèmes communautaires en Belgique. p. 11)

Voir Appendix 3.

En Wallonie, on réclame une répartition paritaire des crédits pour l'expansion économique régionale, tandis que pour la Flandre se sont les critères objectifs tels que l'établissement scientifique des besoins et des priorités et le marché du travail qui doivent déterminer les répartitions des crédits. Les tableaux qui suivent soulignent une fois de plus les différences constatées selon les régions:

Voir Appendix 4.

Une autre source de divergence est la politique des travaux publics. Aussi, les revendications flamandes et wallonnes n'ont pas manqué d'alerter l'opinion publique sur la question des priorités à accorder au sujet de la construction de deux autoroutes soit, l'autoroute wallonne E 41, financée par l'Etat, et l'autoroute flamande E 3, dont les travaux sont des emprunts garantis par l'Etat. D'Après le rapport du Centre Harmel, il n'y aurait pas eu de difficultés majeures si tous ces travaux avaient été exécutés en même temps. Cependant, ce ne fut pas le cas, et cet exemple démontre bien que c'est au moment où l'on doit décider des priorités que les ennuis commencent. Ainsi, lorsque les travaux d'infrastructure soulèvent des différends entre l'une ou l'autre des deux communautés, il faut songer déjà à des compensations pour celle qui n'aura pas été choisie à priori.

C. LE CONTENTIEUX CULTUREL

Pendant l'entre-deux-guerres, devant les pressions toujours grandissantes des deux communautés, on assiste à l'instauration de l'autonomie culturelle, c'est-à-dire, le droit des communautés de gérer elles-mêmes leurs affaires culturelles. Toutefois, même si cette autonomie était déjà un état de fait

bien avant que le Parlement ou le Gouvernement ne l'eut abordée, c'est à cette époque que l'on doit le dédoublement, selon le régime linguistique, des académies, des institutions de radio-diffusion et de télévision, puis, le début du dédoublement de l'éducation et de la culture.

La fixation de la frontière linguistique qui s'est faite en 1962 n'a fait qu'accentué cette évolution et le dédoublement des ministères se fait à partir de 1969 par un arrêté royal.

Cependant, il reste deux problèmes à résoudre:

1. Celui de la diversité philosophique; c'est un fait que le dualisme linguistique est plus complexe à cause de l'existence de différentes tendances philosophiques, ce qui explique pourquoi une procédure des minorités philosophiques a été prévue.
2. L'aspect financier de la question; les difficultés qui surgissent sont de même nature que pour la répartition des crédits à l'expansion économique régionale. Doit-on répartir les subsides octroyés par l'Etat aux deux communautés sur une base paritaire ou en fonction des critères objectifs.

La solution qui fut trouvée pour ce dilemme est typiquement belge; une partie des crédits est accordée sur une base paritaire et l'autre selon les normes objectives. Résultat: la Flandre, plus peuplée que la Wallonie reçoit plus de crédits.

En matière d'enseignement, nous assistons encore à des revendications différentes de la part des flamands et des wallons. Du côté des Wallons, on réclame une réforme dans l'enseignement de l'histoire. On veut que l'accent soit porté davantage sur l'histoire de la Wallonie, en particulier sur la principauté de Liège qui, au cours des siècles, n'a pas toujours connu le même sort que le reste du pays. Et on veut aussi le renforcement de la langue maternelle. Voilà une autre difficulté que

pose le problème communautaire, à savoir; l'enseignement des langues officielles. Les Wallons défendent la liberté de choix de la seconde langue à tous les niveaux d'enseignement. Un fait qui va à l'encontre de la politique du bilinguisme national. En Wallonie, le choix de la langue seconde s'arrête souvent à l'anglais ou à l'allemand. Tandis qu'en Flandre, le choix se fait en majorité pour le Français.

Pour comprendre cette situation, il faut s'en référer à l'importance respective de français et du néerlandais sur le plan international. Aussi, la portée du néerlandais sur la scène internationale est relativement restreinte-- la partie flamande du nord de la Belgique, les Pays-Bas, la population blanche de l'Afrique du Sud, et certaines couches sociales de l'Indonésie - . De son côté, le français constitue, relativement parlant, une langue internationale. Or de cette situation, il en ressort que les flamands sont à majorité bilingues - néerlandais, français - et les Wallons à minorité bilingue - français, néerlandais-. Sur le plan national, d'après les sources officielles, les conséquences du bilinguisme sont défavorables pour les francophones; car, le bilinguisme étant exigé depuis peu pour accéder aux postes cadres dans les secteurs public et privé, cela défavorise les wallons, car un plus grand nombre de candidats viennent de la communauté néerlandaise.

Récemment, le secteur universitaire a dû faire face au contentieux communautaire avec le problème de Louvain. En effet, à l'université de Louvain, qui était une université bilingue dans une région unilingue néerlandaise, une fraction importante de l'opinion flamande demandait le transfert de la section francophone en Wallonie. Cette revendication s'appuyait sur les principes de l'unilinguisme et de l'autonomie culturelle. Toutefois, à cause de raisons économiques et de leur attachement à une longue tradition, les francophones s'opposèrent au transfert. Ce n'est qu'après de longues discussions mouvementées que le principe de la scission

fut finalement accepté.

3ième PARTIE: BRUXELLES

Le Problème bruxellois

Bruxelles, comme nous l'avons mentionné auparavant, constitue un fait nouveau et vient grossir la complexité des problèmes communautaires. En effet, la capitale de la Belgique constitue l'obstacle principal à la normalisation des relations communautaires. Elle tire son importance de son bilinguisme. Elle est en quelque sorte le poulx du pays, car c'est là que les deux communautés vivent côte à côte sur un espace restreint. Alors, si l'on veut normaliser les relations entre ces deux communautés du Nord et du Sud, c'est bien à Bruxelles qu'il faut commencer à mettre un peu d'harmonie.

Un autre facteur est aussi important, Bruxelles est le centre nerveux de la vie économique belge et il a toujours été dominé par la communauté d'expression francophone:

"La position sociale de la majorité des francophones a toujours été, en raison de faits économiques et sociologiques, plus élevée que celle de la plupart des néerlandophones."

Franz Coppieters, Les problèmes communautaires en Belgique, p.16

A cause de cette situation, les flamands ont voulu acquérir la "qualité de francophone" qui était en quelque sorte pour eux un genre de nomination et de promotion sociales. Ainsi peu à peu les flamands se sont laissés assimiler, mais la situation changea lorsqu'une partie de la minorité néerlandophone en prit conscience. Cette communauté néerlandaise de Bruxelles fut appuyée et encouragée par sa propre communauté linguistique de Flandre.

Généralement, on est d'accord d'un côté comme de l'autre, qu'en tant que capitale d'un pays bilingue, les néerlandophones et les francophones devraient y être traités sur un même pied

d'égalité. Cependant les points clés du problème bruxellois se traduisent à deux niveaux:

1. la délimitation de l'agglomération bilingue
2. l'usage des langues à l'intérieur de celle-ci.

Premièrement, Bruxelles est un grand centre urbain. Ainsi les travailleurs aiment à se retrouver après une rude journée de travail dans un endroit calme et paisible. Alors, on cherche dans la banlieue ou la périphérie un coin de campagne. Réaction tout à fait normale, seulement, pour Bruxelles et ses environs, ce phénomène devient une affaire communautaire. La situation géographique y est pour beaucoup: la grande majorité des "émigrants" s'établissent dans la région néerlandaise. Ces "nouveaux venus", qui sont pour la plupart francophones, continuent d'employer leur langue dans leur nouveau milieu -qui est un milieu unilingue néerlandais-, y compris dans leurs rapports avec les autorités locales, et, de plus, demandent l'éducation en français pour leurs enfants.

En 1932, sous le régime du recensement linguistique, la loi stipulait que lorsque dans une commune d'une des régions linguistiques du pays était installé un groupe d'individus appartenant à l'autre communauté et représentant 30% de la population de cette commune, ce groupe avait droit au statut de "minorité protégée". Certains droits linguistiques lui étaient reconnus lorsque le pourcentage atteignait 50%. Cette commune passait du régime unilingue néerlandais au régime officiellement bilingue de la capitale. Ce qui avait pour conséquence l'expansion de l'agglomération bruxelloise aux dépens de la région d'expression néerlandaise (Voir la carte de Bruxelles et de ses périphéries linguistiques).

Aujourd'hui la loi du recensement n'existe plus car elle a soulevé trop de divergences d'opinions, et a suscité trop de différends. Il était impossible même après recensement de se fier à la nature même des chiffres tant ils étaient charriés d'un côté

comme de l'autre.

Le problème se cristallise autour de six communes périphériques, soit: Drogenbos, Kraainem, Linkebeek, Rhode-Saint-Genèse, Wemmel et Wezembeek-Oppeem.

Des droits linguistiques ont été reconnus aux fractions francophones et même après la suppression du recensement linguistique, les francophones -appuyés par les milieux politiques francophones de la capitale- continuent de demander leur rattachement à l'agglomération bruxelloise. Cette situation a provoqué l'opinion flamande, car, du point de vue néerlandais, elle portait atteinte à l'homogénéité linguistique de leur région. De leur point de vue, l'individu doit s'adapter au statut linguistique légalement défini de la région qu'il habite. Pour cette raison, les flamands établis dans la région française n'ont jamais revendiqué ce que les francophones, eux, demandent.

La législation de 1932, sur l'emploi des langues dans l'arrondissement de Bruxelles, voulait faire de Bruxelles une ville bilingue. En réalité, cette législation n'a jamais été intégralement appliquée. Et en 1962-63, on doit apaiser l'opposition flamande en leur donnant une législation contenant des mesures à promouvoir l'usage du néerlandais à Bruxelles. De la part des milieux francophones, on n'accepte pas toutes les dispositions de cette législation. Résultat: la bataille fut relancée à nouveau, et ça continue toujours.

Voir Appendix 5 - 6

4ième PARTIE: VERS UNE SOLUTION

La révision constitutionnelle

Il était clair que pour ceux qui, en 1830, ont écrit la constitution belge, la fondation linguistique de ce nouvel Etat ne

pouvait reposer que sur la langue française. Ces gens, qui provenaient de classes moyennes élevées, de l'aristocratie et du clergé, espéraient que le français devienne, au cours des générations, la langue maternelle de tous les citoyens belges.

Mais le fil de l'histoire à transformé les choses. Si bien que maintenant, en Belgique, on est convaincu que la reconnaissance d'une stricte égalité entre les communautés culturelles est devenue la condition "sine qua non" d'une coexistence harmonieuse et pacifique entre les belges du Nord et ceux du Sud selon la frontière linguistique:

"An objective examination of the facts will show that a concept of cultural federalism has slowly developed in Belgium until it has now ended in the recognition that there is effectively a language boundary and two separate and distinct cultural regions." (Robert Senelle, The Revision of the Constitution 1967-71, p.4)

La Constitution belge qui date de 1831, a été révisée à trois reprises. Ces révisions se sont toujours rattachées à la volonté d'adapter la charte nationale aux nouvelles réalités de l'évolution politique et sociale:

"La caractéristique essentielle de cette nouvelle constitution est qu'elle transforme l'Etat unitaire en un Etat communautaire." (Franz Coppieters, Les problèmes communautaires en Belgique, p.38)

Aussi la révision de 1967-1971 comprenait six objectifs.

Mais, malgré tous ces objectifs, comme le mentionne Robert Senelle:

"Obviously the second objective was by far the most important since it involved a question

which is fundamental to the Belgian Nation,
i.e. The harmonisation of the relationship
between two cultural communities divided by a
language boundary which has remained so to
speak unchanged for centuries, with the sole
exception of the Brussels area."

Robert Senelle, The Revision of the Constitution, p.4

Outre ces révisions constitutionnelles, plusieurs mesures législatives ont été faites pour venir en aide aux problèmes communautaires. Car, même si les groupes de pression ont une importance considérable sur la vie politique, il n'en reste pas moins que les divisions politiques appartiennent au gouvernement.

En Belgique trois partis sont à l'avant-plan de la composition du Parlement:

- A) "Christelijke Volks Partij" (C.V.P.), groupe des membres d'expression néerlandaise et le Parti Social Chrétien (P.S.C.), parti francophone. Auparavant les deux fractions constituaient un parti unitaire, aujourd'hui ces fractions sont presque autonomes, mais leur action est coordonnée par un organe de concertation national.
 - B) Le parti Socialiste Belge (P.S.B.): structure unitaire, il est dirigé par deux présidents nationaux -francophone et néerlandais- qui possèdent des droits égaux.
 - C) Le Parti de la Liberté et du Progrès (P.L.P.), ancien parti libéral: pendant longtemps à structure unitaire, aujourd'hui il conserve toujours un président national, mais il est divisé en deux formations à peu près autonomes, la "Partij Voor Vrijheid en Vooruitgang" (P.V.V. néerlandophone) et le P.L.P. francophone.
- En ce qui a trait aux autres partis politiques, ils se limitent à une des deux communautés culturelles et ils siègent aussi au Parlement.

Les premières mesures législatives ont été entreprises en 1961-65 par un gouvernement de coalition entre le Parti Social Chrétien, unitaire à l'époque, et le Parti Socialiste Belge.

Ce sont eux qui ont pris, dans la période de l'après-guerre, les premières mesures concrètes dans le domaine des relations communautaires. La première mesure législative fut la suppression du recensement linguistique, une loi qui a été très discutée à cause des opinions divergentes. Cette législation fut suivie d'une autre, cette fois encore il s'agit d'une législation linguistique. En effet on procède à une révision des lois linguistiques des années 30. On établit par cette législation la modification des limites des provinces, des arrondissements et des communes. De plus, on établit un régime linguistique dans l'enseignement et l'on stipule que la langue de la région est celle de l'enseignement, à noter, cette loi n'a pas trait aux établissements d'enseignement supérieur. Plus tard, c'est une loi sur l'emploi des langues en matière administrative, on est d'accord pour que la langue d'un individu détermine la langue de son dossier à l'administration. Toutefois, on est tenu de s'exprimer aux entreprises commerciales et industrielles dans la langue de la région où elles sont établies. De leur côté, ces entreprises établissent leur communication avec le personnel dans la langue de la région. Cette loi visait, en pratique, la néerlandisation des entreprises de Flandre. Finalement, une mesure législative concernant l'adaptation du nombre de sièges au Parlement, parce que:

"faute d'une adaptation de la législation électorale environ un demi-million de Flamands n'avaient pas de représentation adéquate sur le plan parlementaire, en raison de l'évolution démographique"

Franz Coppieters, Les Problèmes communautaires en Belgique, p. 26

De 1965 à 1968, on assiste à une période de transition. Deux gouvernements sont, à cette époque, au pouvoir. Il s'agit de 65 à 66 d'une coalition entre le Parti Social Chrétien, le Parti Socialiste Belge, et, d'autre part, de 66 à 68, la coalition du Parti Social Chrétien et le Parti de la Liberté et du Progrès.

Ce premier gouvernement dévidera d'un projet de loi en vue

de la création d'une commission permanente pour l'amélioration des relations entre les communautés belges. Il démissionna en 1966 à la suite d'un désaccord entre les partenaires. Lorsque le nouveau gouvernement fut établi, on créa la commission permanente mentionnée plus haut.

De 1968 à 1971, on procède à la troisième révision constitutionnelle. A cette époque, le gouvernement, qui était une coalition du Parti Social Chrétien -Christelijke Volkspartij- et du Parti Socialiste Belge, fut, dans sa composition, l'annonce future des options prises dans le domaine communautaire visant à accorder une autonomie aux communautés linguistiques:

"C'est ainsi que les départements touchant directement les intérêts spécifiques de ces communautés étaient gérés par deux ministres, l'un d'expression française, l'autre d'expression néerlandaise: il s'agit des ministres de l'éducation nationale, de la culture, de l'économie régionale, des relations communautaires."

Franz Coppieters, Les Problèmes communautaires en Belgique, p.32

Se sont ensuivies des réformes politiques, culturelles et administratives, des lois sur la protection de la minorité francophone, une loi sur la délimitation de l'agglomération bilingue de Bruxelles et encore, une fois de plus, une révision des lois linguistiques.

De 1971 à 1974, la campagne électorale se déroula encore sur les problèmes linguistiques et la problématique communautaire. Ce sera encore une période où l'on passera loi par dessus loi pour tenter de remédier à cette problématique. Et, encore aujourd'hui, on travaille sur un vademecum, un pacte communautaire ou pacte d'Egmont, accord conclu en mai 1977 entre les partis de coalition, et qui a pour objectif de réaliser la "pacification communautaire"-notamment par une régionalisation définitive- et dans le même temps, une simplification des institutions.

"L'enjeu actuel porte à la fois sur une mise en place rapide des nouvelles institutions et sur une répartition judicieuse des matières d'intérêt national et d'intérêt régional."

Xavier Mabilie, Le monde 23/2/1978

Deux objectifs pour les institutions régionales:
la "pacification communautaire" et la simplification

Ce pacte communautaire qui englobe plusieurs questions, notamment celle de l'inscription scolaire, a suscité beaucoup de controverses, et de l'avis de M. de Bondt, secrétaire d'Etat à la réforme des institutions, d'origine néerlandaise:

"Dans l'économie générale du pacte, il ne faisait pourtant pas de doute, pour moi, que le droit d'inscription s'éteindrait un jour. Le pacte devant amener la pacification, j'ai considéré que le droit d'inscription, seule solution politiquement acceptable, était accordée aux francophones déjà installés ou venant s'installer dans les prochaines années -mais avant la réforme de notre constitution- dans les communes de la périphérie bruxelloise, à l'occasion d'une restructuration globale de l'Etat basée sur les communautaires et les régions. A l'Avenir les francophones doivent savoir qu'ils devront s'adapter à la réalité flamande. La "tache d'huile", "l'olieviek", c'est fini. Les frontières doivent être fixées un jour. Sans cela toute pacification est impossible."

M. de Bondt, La Cité. 16/2/78 Lettres de Belgique

L'évolution constitutionnelle et les réformes législatives ont certainement beaucoup aidé à faire comprendre aux différentes mentalités le besoin pour la régionalisation. Certes ces réformes ont aussi aidé à minimiser les points litigieux entre les deux communautés mais la problématique communautaire est loin d'être résolue, car:

"Je suis un fervent défenseur de la régionalisation à condition que les pouvoirs des régions soient bien réels. En matière économique notamment, je me battraï pour que des compétences aussi étendues que possible soient données aux régions. Il

faut éviter à l'avenir les conflits auxquels on assiste aujourd'hui, On doit bien délimiter ce qui est d'intérêt national ou régional.

Nous, Flamands, contrairement à ce que l'on pense en Wallonie, considérons que la régionalisation est aussi importante que la culturalisation. Les deux vont d'ailleurs de pair pour donner une autonomie réelle à la Flandre. La Nation flamande peut enfin grâce au pacte, "s'incarner" dans les institutions. Pour notre part, puisque la majorité sera probablement la même dans l'assemblée régionale flamande et l'assemblée communautaire, nous entendons donner à ces deux institutions un seul président, un seul bureau et un seul personnel. Ce sera un signe de l'unité flamande."

M. de Bondt, La Cité, 16/2/78 Les lettres Belges

Et pas un seul instant M. de Bondt n'a parlé de l'unité belge ...

5ième PARTIE:

LES PARALLELE QUEBEC-BELGIQUE

Les similitudes de ces deux entités

Après avoir tracé le portrait des problèmes communautaires qui existent en Belgique, nous allons nous tourner vers le Québec, et nous tenterons d'énumérer les ressemblances qu'il y a entre eux.

Faisant abstraction des conditions géographiques, de nos évolutions historiques et de nos systèmes politiques respectifs, il y existe bien des similitudes et des ressemblances entre le Québec et la Belgique. Si bien que par moment, l'on pourrait croire que nous sommes en présence d'un frère et d'une soeur jumeaux. Les problèmes qui existent dans chacun de nos pays sont en effet de même nature: "deux communautés qui ne peuvent pas vivre ensemble", comme dirait Franklin Delano Roosevelt (voir page 7).

Ce que Roosevelt a dit à propos des deux communautés belges nous démontre clairement que la nature du problème n'est pas comprise autant de la part de ceux qui le regardent de l'extérieur que pour ceux qui vivent la situation de l'intérieur. En effet, en Belgique l'ignorance de l'opinion belge à l'égard des différends communautaires démontre le manque de connaissance qu'a la communauté francophone vis-à-vis la communauté néerlandaise et vice-versa. Au Québec, la même situation existe, et c'est M. Jean-Luc Pépin, L'un des présidents de la Commission Pépin-Robarts, qui déclarait au sujet de l'unité canadienne:

"Si les Canadiens étaient plus conscients des données du problème, ils agiraient beaucoup plus calmement devant la situation et ils aideraient les politiciens à s'engager pour faire l'équilibre qui s'impose".
(Le Devoir, 30 mars, 1978)

Ce manque de connaissance sur les données du problème amène des réflexions du genre de Roosevelt ou encore pour ce qui est du Canada et du Québec; les deux grandes solitudes.

Outre ces réflexions, ne sagit-il pas de connaître les causes de ce problème de cohabitation. Il faut chercher plus loin, car, la seule explication que deux groupes linguistiques ne peuvent pas vivre côte à côte sans heurts n'est plus satisfaisante, car, on constate qu'en scrutant le problème la raison linguistique n'est plus seule. En effet, en Belgique on remarque que:

"Ce qu'on appelait la "Question linguistique", déborde en effet largement le domaine des moyens d'expression pour avoir d'importantes répercussions dans les secteurs politique, institutionnel, économique, social et culturel". (Franz Coppieters. Les Problèmes communautaires en Belgique. p. 3),

et Jean-Luc Pépin de son côté à propos de la question du Québec:

" Quelque soit le sujet abordé par les intervenants on s'aperçoit qu'il y a un aspect économique, politique, social, linguistique ... " (Le Devoir, 30 mars 1978.)

Ainsi ce que l'on appelait un problème linguistique devient donc un problème intégré aux articulations spécifiques de la politique intérieure et de plus, on constate qu'il se répercute à tous les autres niveaux,

Maintenant si nous traçons un parallèle plus détaillé entre le Québec et la Belgique, nous verrons que l'évolution que ces deux entités respectives ont suivie est sensiblement la même. Lorsqu'en 1830, on décide de doter la Belgique d'une Constitution et d'en faire un nouvel Etat, n'était-il pas question d'assimiler les néerlandais aux francophones? Ne prévoyait-on pas qu'au cours des générations que la seule langue qui subsisterait serait le français? (Voir p. 22)

Lorsqu'en 1838 Durham débarqua au Canada, n'avait-il pas pour mission d'enquêter et de régler toutes les questions dans les provinces du Bas et du Haut-Canada, en assimilant le Bas au Haut-Canada? Là aussi on prévoyait que la langue française était pour mourir d'elle-même au fil des ans.

Ironie du sort, qui sait, mais rien de tout ce que l'on avait prévu se produisit. On constate que la communauté néerlandaise est plus vivante que jamais et que les québécois ont plus que surmonté l'assimilation. A tout prendre ou à tout laisser, on décida donc, pour ce qui est de la Belgique et du Québec-Canada de vivre ensemble. Mais, cette coexistence ne va pas sans difficultés.

D'Après les observateurs de la scène politique belge, les deux communautés ne réagissent pas de la même façon devant les mêmes événements. Ce qui en ressort est le fait que de ces communautés linguistiques différentes, on constate qu'il y a des réactions des mentalités, une façon de penser et d'agir, des

intérêts et des objectifs qui leur sont propres à chacune d'entre elles.

En Belgique, on a tenté et l'on tente toujours de remédier aux problèmes communautaires. On a depuis 1831 procéder à trois révisions constitutionnelles. On a voté lois par dessus lois, on y est allé de procédures législatives en procédures, et tout dernièrement le pacte communautaire. Résultat: les différends se poursuivent toujours, et même si on a réussi à apaiser les esprits, un rien suffit pour les échauffer.

Au Canada, le même problème existe depuis longtemps, il se traduit pas la lutte interne et constante entre les anglophones et les francophones. Pour essayer de répondre au problème on a trouvé un moyen typiquement canadien: les commissions royales d'enquête:

"Depuis la Confédération, en 1867, le gouvernement fédéral a établi à peu près treize cents commissions d'enquête de toutes sortes, dont plus d'un quart "peuvent bénéficier du titre de commission royale d'enquête, soit environ trois cent cinquante". (Khayyam Zev Paltiel. Les commissions royales d'enquête. Le système politique du Canada. p. 379)

Nous aussi on y est allé de commission en commission. Il faut dire que ce moyen de procéder a toujours favorisé le gouvernement central Ottawa car pendant le temps que l'on prenait pour enquêter, la décision retardait:

"Le délais entre la nomination d'une commission et la remise de son rapport est très précieux pour les gouvernants en retardant l'échéance d'une décision". (Khayyam Zev Paltiel. Les commissions royales d'enquête. Le système politique du Canada. p. 380)

C'est ainsi que nous avons eu droit aux commissions suivantes:

bilinguisme et la dualité de la culture (Laurendeau-Dunton), les relations fédérale-provinciale (Rowell-Sirois), la situation de la langue française (Gendron), et tout récemment la commission chargée d'enquêter sur l'unité nationale (Pépin-Robarts). Le gouvernement central canadien offre un bel exemple d'utilisation constante de l'appareil de L'Etat pour la poursuite de projets industriels ayant une portée culturelle très recherchée. L'appareil de l'Etat a toujours servi à introduire par des moyens culturels, des fins économiques. Ce qui explique le détournement des problèmes véritables que le peuple québécois a eu à faire face au cours de son histoire. Les travaux publics effectués sous l'égide gouvernementale, tels les canaux des grands Lacs, le chemin de fer transcontinental, le pipeline, l'autoroute transcanadienne, la canalisation du St-Laurent, avaient pour but de fonder des circuits industriels existants qui allait du nord au sud et d'est en ouest, à susciter et consolider un sens d'identité nationale et culturelle capable de maintenir une certaine unité à l'intérieur du pays. C'est également dans ce dessein culturel qu'ont été instituées de grandes commissions royales d'enquête. Suite aux recommandations de ces commissions on a créé des institutions culturelles comme; Radio-Canada, L'Office national du Film, et on a imaginé des programmes de portée culturelle comme la loi sur les langues officielles et la politique du bilinguisme. Mais comment peut-on espérer de faire du Canada un pays bilingue, lorsqu'il n'y a qu'une province de bilingue, en l'occurrence le Québec, et qu'encore le bilinguisme est une des causes de la problématique anglofrancophone du Québec.

En Belgique, on mise énormément à résoudre le problème bruxellois car:

"La question de Bruxelles reste l'un des points délicats du contentieux communautaire. Au titre de la Capitale de L'Etat, Bruxelles doit se définir comme une ville dans laquelle non seulement les Bruxellois, mais tous les Belges se sentent eux. (Franz Coppieters. Les problèmes Communautaires en Belgique. p. 56)

L'importance de Bruxelles est indéniable. Si on veut que les deux communautés vivent en paix, c'est là qu'il faut commencer à résoudre le problème du bilinguisme, sinon, il est pratiquement impossible de penser à sauver le Nord et le Sud de la Belgique.

Au Québec, on a tenté d'enrayer le problème linguistique et ce, en promulguant trois lois importantes en cette matière; la loi 63, la loi 22 et la loi 101. Une après l'autre, ces lois ont soulevé plus de cohue que d'apaisement. Une des questions délicates soulevée par ces lois, est sans contredit le choix pour la langue d'enseignement. Cette situation est également vraie en ce qui attrait à la Belgique. Mais à l'inverse de la Belgique, nos deux langues officielles étant le français et l'anglais, et dont, jusqu'à tout récemment le libre choix était permis, on avait tendance à se diriger vers la langue anglaise. L'explication peut nous être fournie par le fait que nous vivons sur le continent nord-américain où l'anglais est la langue prioritaire vu la majorité d'anglophones. Ainsi on ne voyait pas l'utilité d'apprendre le français parce que sur notre continent son usage est très restreint. Le fait que les anglais ont toujours dominé la scène économique, lorsque les immigrants arrivent, ils choisissent de s'intégrer à la communauté anglophone. La seule chance pour le Québec de s'en sauver demeure dans l'application de la loi 101 puis, dans sa politique d'immigration. On constate depuis quelque années que le taux de croissance chez les Québécois francophones est en perte de vitesse. Contrairement aux néerlandais pour qui, le taux de croissance ne soulève aucun problème, nous au Québec nous devons axer le renouvellement de notre population sur la population immigrante francophone. D'après une étude effectuée par le groupe de chercheurs GAMMA, sous la demande de l'Office de Planification et de Développement du Québec:

"La population va considérablement vieillir alors que les personnes de plus de 64 ans va doubler et celui des moins de 15 ans diminuer

en chiffres absolus." (Le Devoir 30 mars 1978)

Autant en Belgique qu'au Québec et qu'au Canada on cherche des solutions, des remèdes efficaces, mais d'un côté comme de l'autre, le problème persiste toujours. Ce problème s'est même accentué depuis l'élection de novembre 1976 au Québec. On commence à douter de l'unité nationale et pour la première fois on se rend compte qu'il y existe un malaise concret, alors, fini les mythes, fini les illusions, la réalité finie par éclater. La tension devient de plus en plus forte, après tout, ce n'est qu'une réaction normale lorsque l'on a toujours tenté mais en vain d'étouffer cette réalité. Alors lorsqu'elle se dévoile, il est normal que l'on constate des réactions plus ou moins réfléchies. Comme le mentionnait Jacques Yvon Morin et cela en 1968:

"Le Québec, pour sa part, ce n'est plus une "province comme les autres"...l'a-t-il d'ailleurs jamais été? Comme foyer national des Canadiens-français, il ne peut accepter le développement d'un dirigisme émanant d'un Etat central qui n'a jamais su tenir compte de la mentalité des aspirations propres du peuple minoritaire". (Jacques Yvon Morin. Les relations fédérales provinciales, Le système politique du Canada, p. 84.

CONCLUSION

Après avoir établi un parallèle entre le Québec et la Belgique après avoir vu les similitudes qui en découlait, on peut maintenant se poser la question: Quelles sont leurs perspectives d'avenir? Les possibilités de voir une harmonisation et une pacification entre les deux communautés culturelles de la Belgique sont bien minces. Il en est de même pour le Québec qui, au cours de prochaines années, aura à se prononcer, lors de la tenue d'un référendum sur un nouveau statut politique, soit: demeurer à l'intérieur de la Confédération, ou tout simplement se séparer du reste du pays quitte à établir une association

économique avec le Canada en tant que partenaire. Le Choix ne sera pas facile. Entretemps, on est à la recherche d'une solution de rechange que l'on appelle une "troisième voie".

En Belgique, on a dû réviser trois fois la Constitution pour remédier aux différends communautaires. Cette évolution constitutionnelle a été toutefois beaucoup plus profonde dans les esprits que dans la réalité, c'est-à-dire dans les institutions qui perpétuent encore le problème communautaire. Il demeure pour l'instant très dangereux de tirer des conclusions hâtives sur le cas de la Belgique, car les réformes politiques, administratives, économiques et culturelles qui constituent une base institutionnelle sont encore pour l'instant dans une période de transition. Leurs structures se situent entre celles d'un Etat unitaire et un Etat fédéral ou communautaire.

Au Québec, il est également trop tôt pour se prononcer sur les résultats du référendum. Dépendamment de l'option idéologique les prévisions changent. Une chose, cependant, demeure inévitable depuis l'élection du Parti Québécois en novembre 1976, de profondes transformations constitutionnelles auront lieu.

Quand? dans un avenir rapproché, nous en sommes convaincus, mais en ce qui concerne le comment, nous nous retrouvons dans un labyrinthe.

Le plus embêtant dans toute cette histoire, c'est que le Canada n'est pas du tout certain, que même en proposant une nouvelle voie, de conserver le Québec dans son enceinte.

Les problèmes auxquels les pays constitués de groupes culturels distincts ont à faire face sont le rouage d'un cercle vicieux, car autant dire qu'ils n'ont pas progressé depuis l'époque où Jean-Jacques Rousseau écrivait, à propos du projet de paix perpétuelle de l'Abbé St-Pierre:

"Il faudrait pour cela que la somme des intérêts particuliers ne l'emportât pas sur l'intérêt commun, et que chacun crût voir dans le bien de tous le plus grand bien qu'il puisse espérer pour lui-même. Or ceci demande un concours de sagesse dans tant d'intérêts qu'on ne peut guère espérer du hasard l'accord fortuit de toutes les circonstances nécessaires... Le mal et les abus dont tant de gens profitent s'introduisent d'eux-mêmes. Mais ce qui est utile au public ne s'introduit guère que par la force, attendu que les intérêts particuliers y sont presque toujours opposés." (Citation de Jean-Jacques Rousseau reproduite par Marcel Merle dans un article intitulé Pour une approche réaliste du nouvel ordre économique mondial. Perspectives Internationales, novembre/décembre 1977, p. 6.)

Source: Coppiniers Franz, Les problèmes communautaires en Belgique.



POPULATION DES REGIONS LINGUISTIQUES (en milliers)

Région linguistique	1966	1967	1968	1969	1970
Région de langue néerlandaise	5.308,3	5.348,0	5.373,6	5.403,4	5.432,8
% du total	55,55	55,68	55,79	55,93	56,06
Région de langue française	3.113,0	3.117,4	3.119,8	3.121,9	3.124,9
% du total	32,58	32,45	32,39	32,32	32,25
Bruxelles-Capitale	1.074,6	1.079,2	1.077,0	1.073,1	1.071,2
% du total	11,24	11,24	11,18	11,11	11,05
Région de langue allemande (1)	60,5	61,0	61,5	61,8	62,1
% du total	0,63	0,63	0,64	0,64	0,64

(1) Il s'agit de la population des "Cantons de l'Est" qui furent annexés à la Belgique après la guerre mondiale 1914-1918.

Source : Statistiques démographiques – Institut National de Statistique.

TAUX D'ACCROISSEMENT DE LA POPULATION PAR REGION LINGUISTIQUE (pour 1.000 habitants)

Région linguistique	1966	1967	1968	1969	1970
Région de langue néerlandaise	8,24	7,43	4,75	5,51	5,41
Région de langue française	1,32	1,42	0,78	0,67	0,96
Bruxelles-Capitale	8,06	4,26	-1,99	-3,66	-1,79
Région de langue allemande	10,51	7,47	7,92	4,86	5,41

Source : Statistiques démographiques – Institut National de Statistique.

INVESTISSEMENTS DANS LE CADRE DES LOIS D'EXPANSION ECONOMIQUE

Tableau 1 : Evolution 1968 - 1972 (en millions de F.)

Région	1968	1969	1970	1971	1972
Région de langue néerlandaise	22.665	31.595	43.519	39.434	17.287
Région de langue française	15.994	22.289	26.355	14.585	18.205
Bruxelles - Capitale	256	229	1.602	1.201	309
Total	38.955	54.113	71.476	55.220	35.801

Source : "L'Economie Belge en 1972" — Ministère des Affaires Economiques

Tableau 2 : Total pour la période 1959 - 1972

Région	Chiffres absolus (en millions de francs)	%
Région de langue néerlandaise	254.937	59,5
Région de langue française	165.916	38,7
Bruxelles — Capitale	7.925	1,8
Total	428.778	100,0

Source : "L'Economie Belge en 1972" — Ministère des Affaires Economiques

TRAVAILLEURS ASSUJETTIS A LA SECURITE SOCIALE (situation au 30 juin)

Région	1968	1969(1)	1970	1971	1972
Région de langue néerlandaise	1.051.238	1.135.711	1.418.846	1.446.661	1.458.262
Région de langue française	580.224	635.459	808.210	826.147	827.170
Bruxelles-Capitale	486.161	464.950	589.804	605.595	603.903

(1) la forte augmentation depuis 1969 est due au fait que la sécurité sociale a été étendue depuis lors, à d'autres catégories de travailleurs qui n'y étaient pas assujettis auparavant.

Source : Office National de Sécurité Sociale — Rapports annuels.

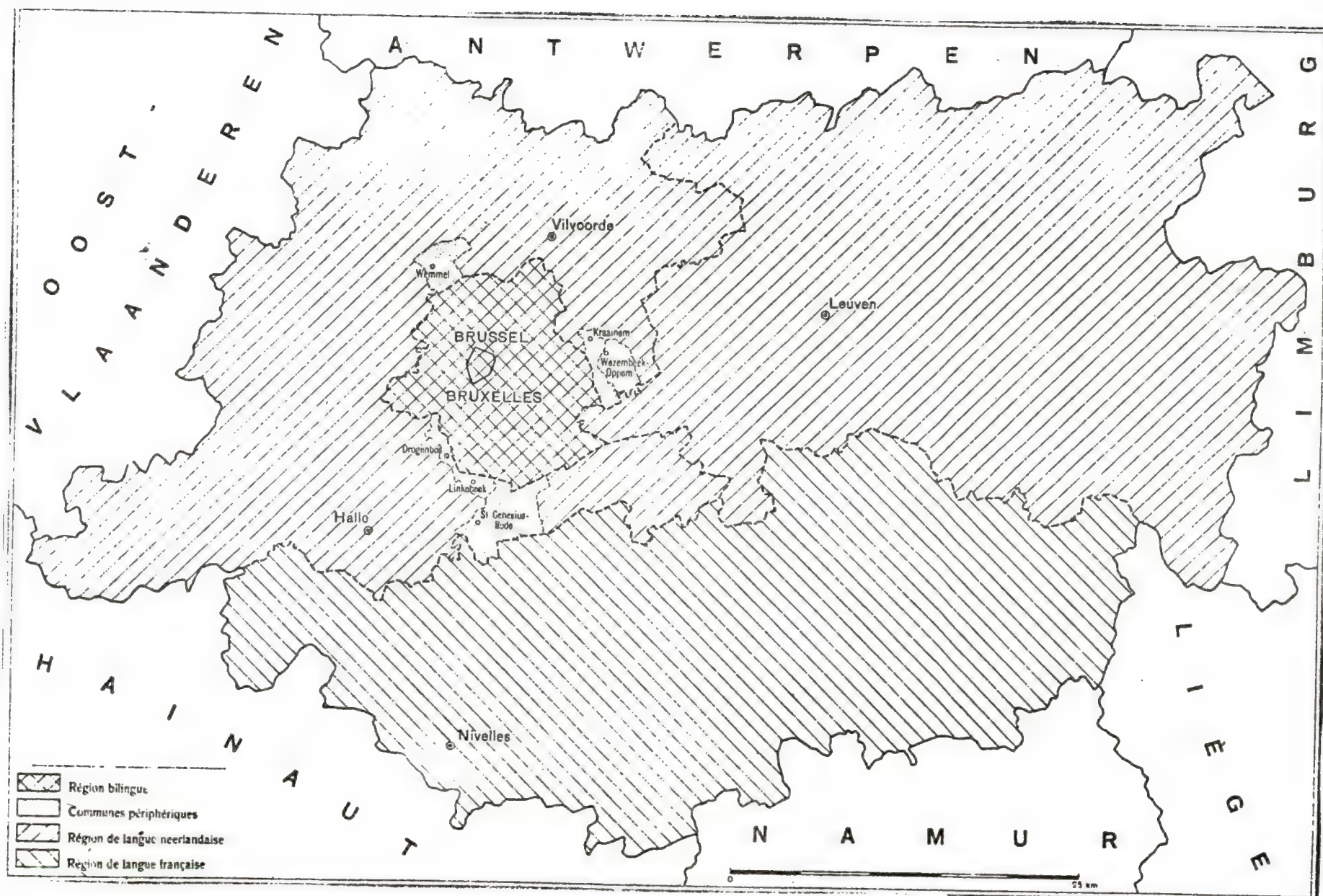
NOMBRE DE CHÔMEURS COMPLETS (moyennes mensuelles)

Année	Région de langue néerlandaise		Région de langue française		Bruxelles-Capitale		Total
	Nombre	% du total	Nombre	% du total	Nombre	% du total	
1968	49.814	48,5	42.574	41,4	10.342	10,1	102.730
1969	37.806	44,3	39.087	45,8	8.450	9,9	85.343
1970	30.520	42,7	33.648	47,3	7.093	10,-	71.261
1971	33.870	47,8	31.700	44,7	5.306	7,5	70.876
1972	40.323	46,8	36.579	42,5	9.920	10,7	86.822

Source : Office National de l'Emploi — Rapports annuels.

AGGLOMÉRATION BRUXELLOISE ET FÉDÉRATIONS PÉRIPHÉRIQUES





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"THE 1968 FRENCH STUDENT REVOLT"

ANDRE LAVIGNE

"The brain of our species is, as we know, made up largely of potassium, phosphorus, propaganda and politics with the result that how not to understand what should be clearer is becoming easier and easier for all of us."

James Thurber. Op Cit. "The New Vocabularianism". Lanterns and laces. 1961.

INTRODUCTION.

"truth is a river that is always splitting up into arms that reunite. Islanded between the arms the inhabitants argue for a lifetime as to which is the main river."
Cyril Connolly, "The Unquiet Grave." 1945.

This research paper is a study of the French student revolt of 1968, and the events which led up to the outbreak of violence. This event poses a unique problem in attempting to extrapolate the causal factors involved in the conflict. Several political theorists posit that the Vietnam War protest and the general unrest which existed on campuses throughout North America and abroad were similar cases of this same phenomena, but on a lesser scale. It is my opinion however, that this is not the case, the French situation is a unique case and must be taken as such. The contributory factors which will be dealt with in this study will be: France's revolutionary history; the

political system and institutions of the Fifth Republic; changing values in a rapidly modernizing society; and special emphasis will be put on the educational system which existed in France during this period.

We will move from this theoretical framework into an analysis of the student revolt and its main participants. This section of the paper will be divided into three parts. The first will deal with the uprising itself; the second with the "left" and the student soviet; the last will cover the reaction of the government. In conclusion we will look at the results of the 1968 general election in France and the eventual dismissal of Georges Pompidou the only man who dared compete with 'Le Grand Charles' for control of the government.

FRANCE'S REVOLUTIONARY HISTORY.

The seeds of revolution were sown early in the history of the French. The May movement was far from being their first experiment in open rebellion to authority. Prior to the French Revolution of 1789, there were many instances of peasant uprisings designed to overturn despotic regimes, prominent among which were those of Clovis, Charlemagne, Louis IX, Henry IV, Richelieu and Louis XIV. The French Revolution began the process of legitimizing popular participation in the affairs of government.¹ The right to rule prior to this date did not depend on the will of the people. Europe at that time admitted all varieties of republics, hereditary or elective monarchies, constitutional and despotic regimes. One's title to the throne was more often than not resolved through conflict, alliances and dynastic arrangements designed to retain the all important balance-of-power. The basis of the French Revolution was to establish once and for all that sovereignty resides with the people. The revolutionaries stated that the subjects of the usurpers of power owed no allegiance to their monarchs. This philosophy placed many regimes in Europe on shaky

grounds. The revolutionaries asserted that all men possessed inalienable natural rights, and the 'ancien régime' was evil precisely because it violated them.² Their rallying cry during the revolution was liberty, equality and fraternity. These three freedoms are jealously guarded by the French people to this very day.

Other examples of France's revolutionary past occurred in the form of insurrections in 1830 and 1848 and the Paris commune uprisings of 1791 and 1871. There is certainly no lack of examples such as these in French history. Lawson cites four issues which were dominant in France's long and turbulent history, and these were:

1. The relationship between church and state;
2. The distribution of the wealth of France and her empire among the different classes;
3. The role of France in world affairs; and
4. The form of government.³

He states that 'immobilisme' characterized French government due to their inability to devise policies which could garner major support.⁴ It is my opinion that this 'immobilisme' was one of the factors which contributed to the student revolt of 1968. No major reforms in the educational system had been made since the time of Napoleon. Equality was used again during the May events to rally the people's support.

"In the name of equality and participation, an attempt was made to break down every hierarchical structure, every superior-subordinate relationship... "Communes" and "states general" were formed not only in the universities and sometimes in the high schools, but also in cities and frequently in various civil service, cultural, industrial, business and even athletic organizations - even some of the most unlikely ones like the football associations - and the movie industry! The theme was to replace the boss, the "patron", everywhere with committees and to subject every decision to discussion and consent."⁵

There is no doubt that the May events were a retrograde step.

They created the illusion of participation which did not exist in reality. They also gave rise to a feeling of common destiny such as only the French Revolution, the Paris Commune and World War One had provided.⁶ Even the themes used, such as "communes" and "statues general" that we previously noted came right out of French Revolutionary history. The students were well aware of this fact and used these symbols to provide their revolt with more legitimacy in the eyes of the population as a whole than normally it might have had. The construction of barricades in the Latin Quarter and on the Boulevard St. Michel were events which had taken place during the French Revolution, almost two centuries previously.

THE FRENCH EDUCATIONAL SYSTEM.

In my opinion, the real cause of the student revolt lies in the educational system in France. To understand this educational setup it is necessary to have a knowledge of the type of unitary system which exists in France Today.

Decision-making is highly centralized, the state having an all-encompassing role. The system has endured through the monarchies, the revolution, the four republics, the two Napoleons and persisted under de Gaulle. The decisions taken by the central government apply alike in every department, hamlet, and, until recently, applied to every colony. Macridis relates an event which took place many years ago.-

"A Minister of education dumfounded his visitor by telling him, after looking at his watch, that at that precise hour all the children of the same grade, in all the schools in France, were having Latin classes, and were in the process of conjugating the same verb."⁷

To understand the predicament in which the students found themselves, we will look into some depth at the situation as it existed in 1968, in the universities and other schools of higher education. Some are of the opinion that it still persists.

Irresponsibility was built into the French educational system.

All decisions respecting the administration, budgetary allocations and staff appointments, in virtually all departments were, and are, taken by the bureaucracy in Paris. The government allows for no local autonomy in decision-making. This, in my opinion, is a grave error, especially since France has an open-door policy to university enrollment. Student numbers increased dramatically through the years. In 1946 there were 123,000 students, in 1961, 202,000 and finally in 1968 a staggering 514,000. ⁸

"Under the weight, the universities and particularly the swollen sorbonne... (the heart of the revolution)... changed their character from small elitist clubs to inefficient, squalid factories of education, where everything was sacrificed to the simple problem of getting everyone in. Student-teacher relationships collapsed; university administrators were swamped; libraries and laboratories overrun; to be sure of a place on a crowded bench for a lecture of their choice, students of the Sorbonne would sometimes sit through the previous hour's instruction in quite a different field."⁹

These are unbearable circumstances. The only possible solution to this dilemma, to my mind, would have been to allow independent authorities made up of faculty and student representatives to study and make recommendations in order to alleviate the problems where they existed. It was irresponsible to entrust such an important and complex portfolio, as education, to a young and untried minister, Alain Peyrefitte, who eventually lost his position during the revolt due to his lack of swift action.

All 23 universities in the country are run in the same fashion. During the disturbances, it became obvious that discussion was pointless, due to the impotence of the local administrative staff.-

"Both students and teachers are powerless. As a result, grievances instead of being eroded by negotiation and practical reform are repressed, then 'acted out' in explosions of collective hysteria," ¹⁰

This is one of the reasons for the alliance which formed during the May uprising, of both the student and teacher's unions.

Poor amenities and a transportation problem also were responsible for the conflict, but other grievances ran much deeper than these.

As will be discussed in the following section of this essay, there was a rapid change in values which was caused by the failure of the

university to adapt to the needs of an increasingly technological society in its drive for modernization. Students and teachers didn't really know what they were at university for. The students felt that if they could have a voice in the decision-making process they could change all this. They wanted the state to come and consult them at their level.¹¹ The students were also displeased that the authorities treated them like children.

"The Rector in many universities is a sort of stern foster-parent, appointed by Paris; many teachers, on their professional pedestals, expect deference, refuse dialogue; the rules and regulations governing student life bear little relation to present day attitudes and precocious maturity. Some bear little relation to common sense."¹²

These are a few examples of some of the ridiculous regulations forced on the students by Paris:

The students were forbidden to pin any photographs in their bedsitters; they were prohibited from moving any furniture about in their rooms; and no discussion of politics or propaganda was, in principle, allowed. This, the boarding department explained, was to ensure that on no account were the student's personalities to be impinged upon by their surroundings, and to ensure the religious and political neutrality of state education.¹³ Another issue which provoked fierce passions, symbolized all of the student grievances, was the question of segregation, between boy's and girls' residential blocks. The students were completely opposed to it. This issue had become one of the major student demands prior to the revolt. The first revolt occurred in 1965, when 1,700 students prevented workers from constructing a warden's lodge in front of the girl's hostel. It took a full section of French police to quell the students. Mr. Jacques Ballard, a liberal director, declared that:-

"The student problem is like decolonization, we must de-paternalize"¹⁴

Paris however never reacted on Ballard's suggestions. After the revolt, Gilbert Cesbron, commented in 'Le Monde' that:-

"Napoleon is at last dead, and the longest reign in French history is over."¹⁵

AN OVERVIEW OF THE POLITICAL SYSTEM AND INSTITUTIONS IN FRANCE'S
FIFTH REPUBLIC.

One of the root causes which precipitated the French student revolt on 1968, was in my opinion the kind of political management and authoritarian rule which marks the Fifth Republic. For this reason, it is imperative that the reader have a general knowledge of the French political system as it existed.

The fifth Republic originated with the enabling act of June third 1958. This act was passed with the required three-fifths majority in the National Assembly. It proclaimed the end of the Fourth Republic and the creation of a new regime which was to be headed by General Charles de Gaulle. A new constitution was submitted to a consultative committee of the National Assembly for scrutiny, and it was endorsed by the people after a referendum held on September twenty-eight 1958. The new constitution retained the bicameral Parliament, the Prime Minister and Cabinet, a separate judiciary, and a system of departmental prefects for supervising local government bodies.¹⁶ The new system was designed to eliminate the frequent stalemates in previous Republics, where Parliament dominated the executive.¹⁷ For this reason the balance-of-power had now shifted radically. -

"The old tradition of rule by assembly was now replaced by a system in which power is heavily concentrated in the hands of one man, the president."¹⁸

Due to the dilemma created by multipartism in France, General de Gaulle and Michel Debré, one of his close associates, felt that it was necessary to severely limit the previously powerful National Assembly. This policy was carried out with such zeal and fervor, that today's lower house in France has been described as an "impotent debating club"¹⁹ The only recourse available to the Assembly regarding the policies of the government, is their vote of censure. This

vote has severe implications in French politics; if passed, it results in the dissolution of the National Assembly and new elections must be called. For this reason, it had only been resorted to once in the ten year period between 1958 and the student revolt, and this was in 1962. The Assembly had rejected de Gaulle's proposal for the popular election of the President, seeing this as a further curtailment of their power. In retrospect, we see that this had no effect on the final outcome, since the President took the issue directly to the people through a nationwide referendum, which he won, as he nearly always did.

The Prime Minister and Cabinet in the Fifth Republic have been used all too often as the tools of the President. The President alone selects the Prime Minister without any consultation with the National Assembly. The Premier then proposes prospective Cabinet members to the President for nomination. In France there is an incompatibility between a Parliamentary mandate and a ministerial portfolio. This is the reverse of most Parliamentary models: if chosen to a cabinet post in the French system, a member of the Assembly must resign his seat and a by-election results. As in most Parliamentary democracies, the government has the law-initiating power, and it alone can legislate on bills which involve budgetary matters. It is vital not to forget however the superior-subordinate relationship which exists between the President and his Prime Minister and Cabinet.-

"Under the Fifth Republic, policy making power has shifted away from the parties: away from the Assembly and into the Office of the presidency."²⁰

The French President oversees all governmental activities, promulgates all laws, dissolves the Assembly, signs the ordinances and decrees of the government, makes major civil and military appointments, accredits ambassadors and is commander in chief of the armed forces. The President also guarantees the independence of the nation, the integrity of the French territory and also insures the execution of international engagements. Article sixteen of the

constitution provides that if the regular functioning of the public powers is interrupted and international engagements are menaced in a grave and immediate manner, the President may take whatever measures are required by the circumstances, using his discretion. The President need only notify the nation and "consult" the Constitutional Council and the Premier.²¹ This indeed provides the President with an arsenal of weapons which he can use to force an issue. According to Article eleven, the President of the Republic -

"On the proposal of the government ... or on joint resolution by the two legislative assemblies ... may submit to a referendum any bill dealing with the organization of the public powers, the approval of an agreement of the Community or the authorization to ratify a treaty, that without being contrary to the Constitution would affect the functioning of existing institutions." ²²

The provision stipulating the necessity of a governmental proposal to issue a referendum is just a formality when one remembers the source of governmental appointments. Since October 1962, the Office of the Presidency has been a post directly elected by the people, the President can now claim that he speaks in the name of the people when suggesting his policies.

It is quite alarming that de Gaulle, after reviewing his personal prerogatives, increasingly demonstrated a lofty disdain for public opinion in his policies. An example of this contempt was made evident in the President's profit sharing scheme for France's business community, which he initiated in the summer of 1967. This policy was opposed by his ministers, by labor and by the business community as a whole. Raymond Aron wrote in 'Le Figaro':-

"This measure has been imposed by a single man on ministers and high ranking officials who were unanimously opposed to it, on organizations of business leaders who were ferociously hostile, and on reticent or indifferent labor unions." ²³

The Gaullist regime was also responsible to a large extent for the May events. The regime at times banned books which "offended" the dignity of de Gaulle, and also prosecuted prominent Frenchmen for the same offence. The idea of freedom of opinion and speech does not seem to be as highly valued in France as it is in the

United States and in Canada. The President also ruthlessly Controlled the state television monopoly for propaganda purposes. Opposition members were rarely permitted to express their views, and announcers almost always expressed Gaullist party sentiments in their newscasting. During the student revolt, there were rumours that a takeover was planned of the broadcasting stations, but this never materialized. The organizers of the uprising were of the opinion, and rightly so I believe, that in a modern telecommunication society, radio and television stations are one of the real seats of power.²⁴

The reader may ask how the French electorate could stand by and see such an extreme and extensive transfer of power from their elected assembly into the hands of a single man with autocratic tendencies. Lawson posits that it is due to their national characteristics. He views the Frenchman as above all an individualist.-

"French individualism is of a very particular sort: It is individualism within conformism."²⁵

He views the French family units as typically characterized by a high degree of respect for its members' privacy. Husbands and wives rarely if ever are aware of the voting habits of each other. Children are expected to conform to set norms of behaviour, but outward obedience is usually sufficient. The educational system is designed in such a way that students are rarely required to think for themselves and draw conclusions from their observations. The students are taught to memorize and copy existing philosophies instead of extrapolating their own. A very rigid and competitive examination exists, designed to weed out the weaker minds in the school system. This, Lawson feels, prevents the development of personal and trusting intellectual exchanges among classmates. This personal avoidance is carried over into the business world, where problems of inefficiency or personal conflict are never confronted openly.

These characteristics have a marked effect on the political and socializing process. The government is treated as other social institutions. They are however closely watched to ensure that they

do not infringe on the sacred domain of the private. The philosophy of the people is that the best government is the least possible government.²⁶ The vigilance kept up by the populace does not mean that it actively participates. People prefer to let the government function in its day to day policies, but when a firm stance is adopted, such action nearly always provokes anger from a majority of the French citizens.²⁷ The electorate in France has been described as "suspicious bystanders" in the political realm. Lawson is of the opinion that:

"In the crisis of 1958, they found in Charles de Gaulle not only a new leader, but a new Bonaparte, who promised to settle their problems in close mystical accord with their own individual wills, magically aggregated by the device of the referendum into a single general will."²⁸

It is my opinion that the May affair was caused by a government which proved to be too intransigent in its dealings with the students. At first, it was subject to their contempt, but as time progressed, and seeing that there was no possibility of changing the status quo, they decided to resort to more drastic actions. De Gaulle, as was usually the case, proved to be as unbending and uncompromising as his previous record vividly demonstrates.

CHANGING VALUES IN A RAPIDLY MODERNIZING SOCIETY: THE ALIENATION IN INDUSTRY.

This section of my essay will deal with French society and its unadaptability in the rapidly modernizing technological world. This, in my opinion, results from France's system of government: a unitary, Presidential, confrontation model. To understand these principles and their implications, it is important first to have a knowledge of the theories of modernization as defined by Eisenstadt, Smelser and Smith. For this reason I shall rely heavily on Smith's analysis of these theories in his text on the subject.*

There are two types of sociological models of society which are important in a study of modernization, namely the 'integration'

* Smith, A.D. -Theories of Nationalism.

and 'conflict' models,

The integration model addresses itself to the problem of persistence: How can social forms and relationships endure? Smith argues that: -

"Logically the explanation of persistence entails that of change; therefore if we could only state the determinants of social structures, we would be in a position to account for movement, revolution and the birth of new structures."²⁹

The conflict model assumes flux, movement and progress as the social norm; arrested development rather than revolution must be explained.³⁰

Smith characterizes a modern society as one which possesses a variety of organizations with highly specialized functions and roles. The population, as a result, lives in large, impersonal groups, loosely bound together by a complex division of labour; the relationships in these societies are 'segmental' and ephemeral.-

"that is, only a part of the self is involved in any one relationship." ³¹

Status in the society is achieved by one's efforts whereas in the traditional society it was more or less established by birth or circumstances. Values, argues Smith, are "theoretically" universal.

There are three analytically distinct processes which make up the modernization theory, and these include:

1. Differentiation;
2. Reintegration; and
3. Disturbance.³²

These phases will now be discussed.

Smelser defines 'structural differentiation' as:

"A process whereby one social role or organization... differentiates into two or more roles or organizations which function more effectively in the new historical circumstances." ³³

Smith adds that these new units are "structurally distinct", but "Functionally equivalent" to their counterparts in the traditional society. Now instead of a single unit performing many functions, the latter are fulfilled by separate units.³⁴ He states that: -

"If centrifugal differentiation continues unabated, there is a risk that all social ties will disintegrate." ³⁵

Methods of 'reintegration' are created in the modernizing society which are designed to prevent the process of social breakdown from occurring. These include: unions, welfare agencies, parties, to name but a few.³⁶ Eisenstadt views the 'mass consensual' tendencies as: -

"rooted in the growing impingement of broader strata on the centre, in their demand to participate in the sacred symbols of society and their formulation, and in the replacement of the traditional symbols by new ones that stress these participatory and social dimensions."³⁷

The reintegration phase, Smith says, is not achieved without costs. Differentiation produces dislocation and conflict. The new groupings which are created conglomerate at the centre, become more "salient" and "visible" for each other, and more estranged from the status quo.³⁸

"This results in panics, crazes, movements, even crystallized contra-cultures - every variety of 'dissensual formation'. Pro-test movements are no mere local rebellions. In modern society, they involve all major groups,³⁹ and seek a total transformation of the society and its values."

Smelser is of the opinion that modernization is a three way tug-of-war between the tradition, differentiation and integration phases. Rapid change brings about inevitable conflicts. -

"It is people who are most dislodged from the securing of ties of the traditional order who feel particularly drawn to collective movements, and this is because their promise of a new dispensation and ideal harmony is designed to short-circuit the very real problems of the situation."⁴⁰

This model, if applied to the situation in France, provides us with some interesting insight with respect to the involvement of the student as well as the labour forces in the revolt.

Unions and parties, which are part of the method of integration in our model, will now be briefly analyzed.

In the Fifth Republic, trade unions have been forced to seek direct links with the executive branch of the government, often finding it necessary to have their representatives sit on governmental advisory councils. This is the policy of the most powerful trade unions, which include: The C.G.T. - Confédération Générale du Travail; C.G.T. (F.O.) - Confédération Générale Du Travail,

Force Ouvrière; and the C.F.D.T., - Confédération Française et Démocratique du Travail. These methods of influencing government action have proved to be quite effective; however, there is much dissension within the ranks of the unions themselves. Splits have occurred which have forced the secession of factions of these unions who are displeased with the directives of their leaders. The major trade unions are allied with political parties in France, and their leaders more often than not use the union for political purposes. The communist C.G.T. for example, has called general strikes to protest the establishment of both N.A.T.O. and the European Defense Community, and the continuation of wars in Indochina and Algeria. The C.G.T. usually follows the political objectives of the French Communist party, the P.C.F. (Parti Communiste Français).

We see in France that the unions which are most successful in obtaining remedies for their grievances have proved to be those which share the general political orientation of the Gaullist party.⁴¹

Workers who are unable to find labor unions which represent their political leanings are, in the main, unaffiliated. This accounts for approximately two-thirds of the working force in France. For this reason, we have a great number of workers who are not represented at the government level.

The political parties in the Fifth Republic have a much lesser role in the governing of France, than in previous regimes. With the decline in power of the 'Assemblée Nationale', many political parties have ceased to exist. We still have a wide range of parties in France which move from left to right in the political spectrum. The multi-party system is inevitable in France, argues Lawson, due to the fragmentation within the French electorate and the absence of a tradition of political compromise.

Most political parties in France have youth groups within them, as has Canada. The Algerian and Vietnam wars had drastic effects on these however. Cleavages occurred within the student factions of many of these youth groups which were due usually to the militancy of some of their leaders. The militants were desirous of a swift termination of the colonial wars. These

cleavages caused breaks in many cases from the parent parties and the creation of virtually autonomous political youth organizations and unions.

The major student organizations, political fronts, and unions which took part in the student revolt will now be listed:

POLITICAL YOUTH ORGANIZATIONS

1. J.C.R. Jeunesse Communiste Révolutionnaire. This is a Trotskyist organization, the leader of which is Pierre Frank.
2. F.E.R. Fédération des Etudiants Révolutionnaires. This is another Trotskyist group under the leadership of Pierre Lambert.
3. U.J.C. (M-L) Union des Jeunesses Communistes Marxistes-Léninistes. A pro-chinese organization.
4. U.E.C. Union des Etudiants Communistes. This group is an orthodox Communist one.
5. Occident - Right-wing rival organization (referred to as Strong Arm Boys)

POLITICAL MOVEMENTS AND FRONTS

1. 22 March. Daniel Cohn-Bendit's Nanterre-based 'spontaneous' movement. This movement was the leading one during the student revolt.
2. 3 May. A short-lived, Paris-based front, of high-minded Marxists, mainly university research workers. (Grew out of the MAU - Mouvement d'Action Universitaire.)
3. C.V.N. Comité Vietnam National. An anti-Vietnam War protest 'front', which helped spread and mobilize left-wing anti-American sentiment.

STUDENT UNIONS

1. U.N.E.F. Union National des Etudiants de France. (Left-wing controlled; acted as spokesman and coordinator of student protest.)
2. F.N.E.F. Fédération Nationale des Etudiants de France. (Right wing rival organization)

3. S.N.E. Sup. Syndicat National de L'Enseignement Supérieur,
(Left winged university teachers' union, active in Revolution.)
4. F.E.N. Fédération de l'Education Nationale. (Principal federation
of teachers' unions.)

SECONDARY SCHOOL POLITICAL ORGANIZATIONS

1. C.A.L. Comité d'action Lycéen. (Extreme left school boy and
girl factions which mobilized teenagers during Revolution; grew
out of C.L.Vs - Comités Lycéens Vietnam.)
2. M.J.C. Mouvement de la Jeunesse Communiste. (Orthodox Communist
school groups.)⁴²

These unions, political parties, and student groupings as Smith argues are designed to reintegrate a population, which has been uprooted and structurally differentiated in the modernizing process. But as we have seen, in the overview of the French political system in the Fifth Republic, the electorate is unwilling to actively participate in the governmental process. Until recently, Lawson states, very few French citizens were willing to attach a party label to themselves and very few actually joined a political party.⁴³ For this reason, the rapidly modernizing process in France has generated much instability within the society. The reintegration phase of the process has had little effect on the working class.

Social instability, created by the breakup of traditional values and roles in France, forced many skilled and unskilled workers to search for a new meaning in their lives. What was very important for them was a sense of belonging; not the feeling of total alienation and subservience to the industrial western model which they perceived was the case. The workers wanted more participation in the executive decisions, in their firms, which affected them directly, and a better system of collective representation.

Seale and McConville state in their text, entitled: "French Revolution 1968.": -

"At the top of most professional trees sits a mandarin - or a 'grand patron' as the French sometimes say - behaving like a prince

delegating neither authority nor perks. This may be something of a caricature, but it was on the whole true that before the great shake-up of May, the channels of advancement in very many walks of life were blocked by red tape, outworn tradition, and by men who were there for life. It was against all these mandarins in universities, factories, the trade unions, and the professions, that the revolution released a flood of impatience and defiance. No authority was spared. Wherever in the routine of daily life orders were given and were expected to be obeyed, someone got up to challenge the system."⁴⁴

THE STUDENT REVOLT. - THE FIRST PHASE: THE UPRISING.

Friday, May third, 1968, marked the real beginning of the student revolution in France. It was on this day that a demonstration by approximately 500 students took place in the courtyard of the Sorbonne. It is interesting to note that on May second, the eve of the revolt, Prime Minister Georges Pompidou and his Foreign Minister had departed on a ten day visit to Persia and Afghanistan. Mr. Pompidou was regarded in many political circles as being the only man in the French Government who might have checked the revolt before it had reached the great proportions of May tenth and eleventh, better known as the "night of the barricades". He had been able to wrestle a real measure of executive authority for the office of the Premier from the hands of General de Gaulle. This was a great accomplishment when one considers the autocratic tendencies of 'le grand Charles'.

The purpose of the May third demonstration was to protest the closing of the faculty of letters at Nanterre by the Dean, Mr. Pierre Grappin, and more particularly, the summons issued against six of the Nanterre 'enragés,'* including Cohn-Bendit,** the voice

* The term 'enragés' was used in 1793 to denote an extreme revolutionary group led by Jacques Rioux which had considerable influence on the 'sans culottes'. It was applied again in 1968 to Cohn-Bendit and his friends at Nanterre.

** Cohn-Bendit was a 23 year old, second year Sociology student at Nanterre. He was described by his professors as being a brilliant student. He played a major role in triggering the revolution

of the student protest movement. They were to appear on the next Monday before a disciplinary board of the University. The closing of the faculty resulted from a series of violent incidents which had taken place since March, and reached such proportions that normal functioning of the faculty was impossible.⁴⁵

The demonstration itself was organized by a secret organization called the "High command of the revolution", which had met regularly between April and May. The prominent members of this high command were : Daniel Cohn-Bendit, 23; Alain Krivine, 27, leader of the J.C.R.; Marc Kravetz, 26, and Jean-Louis Peninon, 26, of the 'Mouvement d'action universitaire' (M.A.U.); Michel Recanatì, 17, of C.A.L.; and Jean-Pierre Vigier, 40, of the C.V.N.. Two other leaders were eventually to rally behind the high command, they were, Jacques Sauvageot, 25, vice-president of U.N.E.F., and Alain Giesmar, 29, national secretary of the university teacher's union, SNESup (Syndicat National de l'enseignement supérieur).⁴⁶

After the leaders of the demonstration refused to leave the Sorbonne, on the third, and in the eyes of the hysterical university authorities the meeting was getting out of hand, the Rector decided to call in the police and have them expelled.⁴⁷ It was also feared that the right-wing youth group 'Occident' might have chosen to attack the demonstrators, in order to "clean out the place" as they put it. The Occident was thought responsible for a fire set in the Sorbonne on the previous day.

At approximately 4:45 p.m., a force of police equipped with helmets, truncheons, and shields entered the gates of the Sorbonne and without the use of violence, herded the students outside, and into black shuttered trucks which were parked close to the walls of the University.⁴⁸

Cohn-Bendit, cont'd.:

in May. Cohn-Bendit was a person totally unimpressed by age, rank, or authority.: "With breathtaking cheekiness he stripped the clothes from the stuffy university authorities, the hard boiled police, from the Roi Soleil himself in the Elysée Palace. His threat to make a repeat performance from London of de Gaulle's celebrated 18 June 1940 broadcast to occupied France, was a stroke of P.R. genius."

With his personality, Cohn-Bendit secured much public support for the student revolt in the days and weeks which followed.

(Drawn from SEALE AND MCCONVILLE. Op Cit. pp. 57-58.

As the police vans began moving away, a wave of outrage poured out of the onlooking crowd of students. They began to shout 'A BAS LAS REPRESSION', and in a fit of passion, violence broke out.⁴⁹ Students were attacking the formations of gendarmes.

"Before very long there were police charges up the Boulevard St. Michel, attempts by the demonstrators to build barricades, exchanges of stones (pavés) and tear gas grenades. By 10:30 in the evening the fighting began to die away. Some 600 arrests were made, and 27 students held in custody. These included a German student leader from Nanterre, Daniel Cohn-Bendit, and Jacques Sauvageot, the vice-president of the official student organization, the 'Union Nationale des étudiants français' (U.N.E.F.). On the side of the police there were 5 injured, one seriously."⁵⁰

It was estimated that about 2,000 students had taken part in that evening's events.

The President, after that historic night's activities, did not act; he felt that these disorders were too petty to merit his intervention. The government, on the other hand, had decided to take a firm stand. The Sorbonne was closed and three students were sentenced to two months imprisonment for their part in the affair. These policies of the government, and of the acting Premier, Mr. Louis Joxe, did nothing but spread unrest and agitation among the student population. Demonstrations broke out in the latin quarter on May sixth and seventh, organized again by the high command of the revolution. They demanded that the government free their fellow students. Between May sixth and thirteenth, the student revolt took on a fundamentally different character. It changed from pranking and street brawls into a mass insurrection.⁵¹ The organizers demonstrated their gift for mobile strategy. They spread disorder in Paris and tied down thousands of police.

"The revolutionaries set the pace, they seized the initiative, forcing a baffled government into error after error. Within the first twenty-four hours the movement spread to provincial universities, provoking a rash of demonstrations and strikes at Aix-en-Provence, Bordeaux, Caen, Clermont-Ferrand, Dijon, Grenoble, Montpellier, Nantes, Rouen, and Toulouse. In that first unforgettable week the most striking quality of the student explosion was joy"⁵²

The demonstrations of May sixth had many casualties. More than six hundred were wounded from among students and police.

Four hundred and twenty-two students were arrested, thirty-one of which were detained. The student organizers now demanded the liberation and amnesty of all their fellow students, the withdrawal of security forces from the latin quarter, and the reopening of the faculties of letters at Nanterre and the Sorbonne.⁵³

The reaction of the government was very hesitant. De Gaulle remained aloof of the situation, not showing any desire to get personally involved. Hartley argues that the President did not appreciate the gravity of the situation.⁵⁴ At this time Professor Alain Touraine, a Nanterre Sociologist, warned that:

"There could be no escape from the head-on clash unless repression ceased and the existence of the student movement was accepted."⁵⁵ Public sympathy was clearly on the side of the students at this time:

"enclosing the rebels in a protective cocoon so that they became invulnerable. The authorities only blackened themselves by striking at them."⁵⁶

The week beginning on May sixth was one in which Jacques Sauvageot and Alain Geismar had reached national prominence in their role of spokesmen representing students and teachers (who had now joined in the cause).

On Thursday the seventh of May, 30,000 students marched through Paris for five hours, again to put pressure on the government to give in to their demands. There was relatively little violence on this particular day. Only a small series of skirmishes erupted, producing of course only a routine crop of destroyed cars, injuries and arrests.

May eighth marked the high point of public support for the student revolt. The French public opinion poll, I.F.O.P., reported that four-fifths of Parisians were in favour of the students. A group of leading intellectuals, including Jean Paul Sartre and Simone de Beauvoir, formed a committee of support for the 'Student Victims of Repression'. Five French Nobel prize winners, namely Messrs. Jacob, Kastler, Lwoff, Mauriac and Monod sent a telegram to de Gaulle, pleading for amnesty for the students and the reopening of the University. De Gaulle However continued to be silent.⁵⁷

May tenth and eleventh, better known as the "night of the barricades", dispelled all doubts on the severity of the situation. Throughout the evening of May tenth, more than sixty barricades were constructed in the latin quarter from Rue Gay-Lussac to Rue Mouffetard. Cohn-Bendit controlled the construction, and directed the actions of thousands of the students while the police and security forces looked on.⁵⁸ An attempt was made to negotiate. Rector Roche of the Sorbonne and a group of students and professors, including Cohn-Bendit himself, were present. These talks were in vain.

"The decision to attack was taken by a small group of ministers and senior Elisée officials who met in virtually permanent session all night."⁵⁹

At 2:15 a.m., the battle commenced. The dreaded CRS* were called in to reinforce the Police outfits, and together they began to clear the streets with the use of tear gas grenades and truncheons. The students replied with molotov cocktails and the pavés (cobblestones). By morning, the latin quarter had the:

"appearance of having been devastated by war... (This is a section of an article written in 'Le Monde' describing the conditions) ... torn up paving stones, rocks, beams borrowed from houses in the process of demolition, pieces of fences, iron grills still bar the streets... Almost everywhere in this chaos... can be seen the remains of burned cars, of vehicles with their windscreens in fragments - with their bodies caved in when they were used to construct barricades."⁶⁰

At 5:30 a.m. on the twelfth of May, Cohn-Bendit ordered a dispersion of the students over the radio. The balance sheet of these two nights of fighting was as follows:
367 wounded; 460 taken into custody; 188 cars damaged or destroyed; incalculable quantities of hate.

THE STUDENT REVOLT . - THE SECOND PHASE: THE LEFT AND THE STUDENT SOVIET.

When the student revolt in France broke out, the leftist coalition of the Communist party and the Socialists were not interested in getting involved. They had been taken by surprise like everyone else. The communists were scared of being blamed for the disorders

* CRS Compagnie Républicaine de Sécurité.

by the electorate.⁶¹ The left was also divided and unready to meet the challenges of the May affairs. The coalition was a very weak marriage indeed, subject to many rifts since its inception in the Presidential election of December 1965. The united left forced de Gaulle into the humiliation of a runoff election, which he eventually won.* The results of this union were so encouraging that Mitterand attempted to weld the non-communist left into a coherent Federation. The second test of the coalition came in the 1967 general election. The mechanism of 'désistement' was conceived.

"This is the process whereby a candidate steps down in favor or a lesser ennemy, better placed than himself, in order to defeat an irreconcilable opponent of both."⁶² This system was a big step towards the goal of a united left opposing de Gaulle and his party the U.D.R. (Union pour la Défense de la République). The Communists and Socialists won 194 seats in this election, eating away at the U.D.R.'s representation from 233 to 200 seats.

There were, however, problems with this marriage, as previously mentioned. Mitterand was afraid that the Federation, if it entered into a government with the Communists, could possibly succumb to the same fate as the Czechoslovak model in 1948. For this reason the Communist-Socialist rapprochement was very weak on the eve of the May crisis.

The P.C.F. during the revolt was attacked on two fronts. The Gaullist government on one side, and the Trotskyists and Maoists on the other. The latter group had been expelled from the Communist party, and had created their own youth groups and organizations, committed to their own ideology and hostile to the parent Communist party.

Georges Marchais, the number two man in the Communist party at that time, denounced Cohn-Bendit and called him a "German anarchist" and further stated that, "such revolutionaries must be energetically unmasked, because objectively they serve the interests of the Gaullist power and of the great capitalist monopolies."⁶³

* De Gaulle secured a clear majority in this runoff election of 54.5% of the popular vote to 45.4% for Mitterand.

After the "night of the barricades" of May tenth and eleventh, the P.C.F. decided finally to ally themselves, at least partially, to the students. This they accomplished by having their Communist-led C.G.T. union march in the massive demonstration of May thirteenth. Officially, however, they remained aloof to the students and their leaders.

Luckily for France, Georges Pompidou returned home on May eleventh, after the infamous occurrences of the previous evenings, cutting short his trip, and moved directly into action. He proposed a plan which he hoped would settle the problem. He offered in effect all the previous demands of the students. The release of student demonstrators, an amnesty to be voted upon in the National Assembly; the reopening of the Sorbonne and Nanterre universities; the withdrawal of security forces and police from the latin quarter. This was viewed by many ministers as unconditional surrender, Peyrefitte and Fouchette tendered their resignation, but Pompidou refused to accept them.⁶⁴ The conciliatory decisions marked him out as the one man in the government who could influence General de Gaulle.

"Pompidou a dit "Je""⁶⁵

L'Express, the French weekly reported, in a sly reference to the Prime Minister's increased authority.

"Pompidou exerted almost dictatorial control over the government, excluding ministers from matters that concerned them and replacing them by his own staff without hesitation."⁶⁶

In the short run, his policies were unsuccessful, they even seemed to make the matters worse. The general strike of May thirteenth then took place. It was immense in size: some 80,000 participants. They marched from the Gare de L'Est across the river to the Place Denfert-Rochereau. The C.G.T. and the Communist party supporters were described and referred to by Cohn-Bendit as the "Stalinist filth" at the rear of the procession.⁶⁷

"striking workers seized scores of factories in the worst epidemic of wildcat work stoppages since the days of Léon Blum's weak Popular Front government in 1936. By the weekend, the fast-spreading wave of strikes had squeezed transportation to a crawl, crippled mail service

and both Paris airports, and spread into dozens of manufacturing industries. Barring the remote possibility that the government could find a way to reverse the trend immediately, France faced this week the grim prospect of an unofficial general strike."⁶⁸

This grim picture however, was to be changed in the days which followed.

Between May thirteenth and the sixteenth of June, the Sorbonne was to become the headquarters to the Student Societ. It was described as a "political laboratory"; in which the students tested their theories of democracy. This organization set an example which fired the workers , or at least inspired them to occupy their factories. The Sorbonne itself under normal conditions can hold approximately 6,000 students, but during the occupation, the numbers swelled between twenty and thirty thousand. In the groaning amphitheatres everything was discussed and voted upon.

"Every room is occupied. What exactly is happening? What in this ant-heap is central to the Student Societ and what peripheral? The truth is that the occupied Sorbonne was a mirror of the student movement itself, lucid and yet crazy, calculated and yet spontaneous. A revolutionary avant-garde knew more or less what was going on, and provided a minimum infrastructure of ideas and organization, around which flourished a rank garden of weeds and flowers, fertile and unplanted."⁶⁹

This was a description of the events which were taking place in the occupied Sorbonne. Through all the confusion and debate, a tentative command structure took shape. A 'service d'ordre' was established to act as a policing body. Their function was to maintain order and to ensure that the rival right-wing factions including the dreaded 'Occident' would not invade the defenseless headquarters. A General Assembly was also established, and their first act was to declare the Sorbonne an 'Autonomous Popular University', open day and night to all workers. The Societ has been described as direct democracy in action. All decisions, in principle, had to be approved by the General Assembly. Every night a group of fifteen was elected, and given the title of 'Occupation Committee', as they termed it. They were in essence the executive of the Assembly; their mandate however, was limited to a period of twenty-four hours because the students did not want corruption to

set in. Scores of sub-committees were established to discuss and handle all sorts of matters, including press relations; the dormitory facilities; the 'service d'ordre'; the infirmary; and the bank, whose function was to create funds. Students and professors both participated in the deliberations and the vote.

THE STUDENT REVOLT. - THE THIRD PHASE: THE GOVERNMENT ACTS.

May fourteenth, in my opinion, marked the end of the student revolt. Pompidou, in a stroke of ingenious political maneuvering, succeeded in separating the student and worker wings of the May Movement. The 'Assemblée Nationale', under the Premier's direction, finally agreed to permit student participation in the administration of universities in the country; this last proposal was added to all the other concessions previously mentioned. This was all the provisions which the majority of the students had desired from the outset. Therefore this phase of the student revolt had now come to an end, only the reactionary leaders of the student organizations remained and a few hard core revolutionaries. This latter group was committed to the overthrow of the capitalist system, an ideology not espoused by the student population, who were in the main drawn from the middle class of society.

The situation created by the general strike however posed a much more serious threat than the other dramatic events in the latin quarter. More than ten million workers were on strike, and the country was becoming paralyzed. Pompidou took action again.

"After twenty-five hours of discussion at the ministry of social affairs in the Rue de Grenelle, the so-called Grenelle protocol was agreed on... May 27. It provided for an average increase of 10 percent in wages, an increase in the minimum wage (S.M.I.G.), a diminution of hours of work and increases in some social security benefits."⁷⁰

These proposals were at first rejected by the strikers, but Hartley argues that the final terms of settlement had now been sketched.

Debré, the Minister of Finance, had not been consulted and he resigned.

De Gaulle, at this time cut short his visit to Rumania. He was greeted by a gaggle of nervous ministers. Sensing their mood,

de Gaulle told them that "anyone who feels sensitive should resign at once." None did. De Gaulle then sped to Paris to confer with the key ministers of his inner cabinet. After a forty-five minute session, they emerged and de Gaulle made his famous statement, "Réforme oui, chienlit non."⁷¹ This meant that the President had now decided to get personally involved and he decided to take a firm stand. Since all of Pompidou's concessions had not seemed to have brought any relief from the strike this was the only possible solution in the eyes of many Frenchmen.

On May twenty-first and twenty-second, a motion of censure was taken at the National Assembly against the government. It was only narrowly defeated, several former Gaullists voted for the censure and resigned as a result after the vote.

As a consequence of de Gaulle's decision, Cohn-Bendit was expelled from France.

The President at this point addressed the Nation on May twenty-fourth, in a long delayed broadcast. He called for a referendum to give:

"A draft law giving the state and, primarily its head a mandate for renewal."⁷²

Even as he spoke, renewed rioting erupted in Paris, Lyon, Nantes, Bordeaux and Strasbourg. Pompidou felt that a referendum at this time would be political suicide, and he imparted this feeling to de Gaulle himself. Most left-wing student factions were calling for open rebellion against the government. De Gaulle then left for Baden-Baden, in Germany. It was speculated that this trip was made for two reasons. The first, is an old tradition among political leaders in France, and that is, to leave Paris in times of disorder. This he had done also previously in his trip to Rumania. The second, and most important reason, in the opinion of many journalists and political analysts, was to secure the backing of the military. De Gaulle wanted to know if they would stand behind him in his bid to restore order. Implicit in the journey was a threat to the rioters. Some speculated that the President was prepared to call in the army and transfer the seat of government outside Paris.⁷³

On May twenty-ninth, when de Gaulle returned to France, he held a cabinet meeting. After this eventful encounter, he announced to the people that the referendum would be postponed. He decided instead to dissolve the Assembly and call new elections. Recovering his old vigor and sureness, he threatened to assume the special powers under article sixteen of the constitution, if the demonstrations did not cease immediately. The inevitable occurred, Gaullist supporters staged a mass demonstration backing their President and his attempt to restore order. A government reshuffle took place in the Gaullist cabinet, and ministers Fouchet, Joxe and Peyrefitte were removed and replaced by members of the left-wing of the party and technocrats. This move caught everyone by surprise.

"They could not reasonably complain about the holding of elections, but it was at once clear that these would take place in very unfavorable circumstances for them. Student demonstrators might have been able to influence the result of a referendum where all anti-Gaullist forces could agree to vote No, but they were helpless in a contest between parties. As for the politicians, they saw themselves associated in the minds of conservative Frenchmen with the violence of small extremist groups who were by now visibly trying the patience of most of their fellow-citizens. In his broadcast de Gaulle set the theme on which the elections would be fought by his followers. France was threatened with a dictatorship inspired by totalitarian communism. For those middle-class people who saw their cherished cars being set on fire by the bearded anarchists of left bank this summary view of the situation was quite enough. France was tired of the students and their disorders, and they could no longer call upon public sympathy in their battles with the police. By calling for elections de Gaulle had made possible an appeal to the 'silent majority' of Frenchmen. By basing himself on the need to maintain public order he had responded to their fears and made sure of their alliance. No referendum on "participation" would have been half as effective in attracting support from conservative France." 74

For all intents and purposes and revolt had now terminated. The students had been fairly treated and the workers had no other choice but to return to work.

POSTSCRIPT AND CONCLUSION.

"A little fire is quickly trodden out,
Which, being suffered, rivers cannot quench."
Shakespeare, "Henry VI." 3. 1590-91.

The May revolution of 1968, in the minds of many Frenchmen was to result in the resignation of General de Gaulle, but due to his political ingenuity, he managed to turn things around and provide himself and his regime with a new lease on life. The elections of June 23rd and 30th, gave the Gaullists an absolute majority in the new parliament. There had been 2,267 candidates competing for 487 seats in the 'Assemblée Nationale'. The U.D.R. and its allies, the Independant Republicans, won a crushing victory in both rounds. The left had been virtually routed. The U.D.R. (Gaullists) won 295 seats as compared to 197 in the previous parliament. Mr. Giscard d'Estaing's Independant Republicans won a further 64 seats, against their previous 43. The leftist federation managed to hold on to 57 seats which was a drastic drop in the figures, when one compares them to the 118 in the last parliament. The communists managed to retain 34 of their previous 73. François Mitterand described the outcome of the election as:

"An operation in political and psychological trickery."⁷⁵

De Gaulle's final part in this affair occurred on the 10th of July 1968, when he abruptly dismissed Georges Pompidou. This in my opinion was done to remove the last person who could have challenged the President for political power and prestige. Pompidou had been as responsible for the outcome of the elections and the U.D.R.'s landslide victory as had been de Gaulle. Seale and McConville describe the firing of Pompidou as :

"a political beheading worthy of the Ottoman court."⁷⁶

The final irony of this whole affair is that the educational system in France, the major causal factor of the revolt, in my opinion, has changed very little if at all since 1968. The students had been given token concessions on May 14th, 1968, at the height of the revolt, but these have not amounted to much in the final analysis. Decisions are still taken in Paris and the university administration and faculty are still as unapproachable as ever.

In retrospect, there is only one element which eludes any possible explanation on my part, and that is: Even with the unbending and regimented system of education in France, this country still produces one of the most highly individualistic people in the world.

Footnotes

1. Lawson, Op Cit. p. 28.
2. Kedouri. Op Cit. pp. 15-19.
3. Lawson. Op Cit. p. 29.
4. Ibid. p. 29.
5. Macridis pp. 151-152.
6. Ibid. p. 154.
7. Macridis. Op. Cit. p. 276.
8. Seale and McConville Op Cit. p. 22
9. Ibid. p. 23.
10. Ibid. p. 27.
11. Ibid. p. 28.
12. Ibid. p. 28.
13. Ibid. p. 28.
14. Ibid. p. 29.
15. Ibid. p. 95.
16. Lawson. p. 30.
17. Macridis. p. 257.
18. Lawson. p. 30.
19. Time Magazine Article - May 24th, 1968.
20. Lawson , pp. 31-32.
21. Ibid, p. 31.
22. Macridis. p. 261.
23. Time Magazine, May 31st,1968
24. Seale and McConville. Op. Cit. p. 108.
25. Lawson. Op. Cit. p. 32.
26. Ibid. p. 32.
27. Ibid. p. 33.
28. Ibid. p. 33.
29. Smith Op. Cit. p. 41.
30. Ibid. p. 41.
31. Smith. Op Cit. p. 43. Cited from Solznick, 1952, Ch. 7.
32. Ibid. p. 42.

33. Ibid. p. 42. Cited from Smelser, 1968 - p. 118.
34. Ibid. p. 42.
35. Ibid. pp. 42-43.
36. Ibid. p. 43
37. Ibid. p. 43
38. Ibid. p. 43
39. Ibid. p. 43
40. Ibid. p. 43
41. Lawson. Op Cit. p. 36.
42. Seale and McConville. Op Cit. pp. 15-16.
43. Lawson. Op Cit. pp. 32-33.
44. Seale and McConville. Op Cit. p. 96
45. Hartley. Op Cit. pp. 275-276.
46. Seale and McConville. Op Cit. p. 63.
47. Ibid. p. 276.
48. Ibid. p. 68.
49. Ibid. p. 68.
50. Hartley. Op Cit. p. 71.
51. Seale and McConville. Op Cit. p. 71.
52. Ibid. p. 72.
53. Hartley. Op Cit. p. 278
54. Seale and McConville. Op Cit. p. 72.
55. Ibid. p. 78.
56. Ibid. p. 72.
57. Ibid. p. 79.
58. Touraine. Op Cit. p. 174.
59. Seale and McConville. Op Cit. p. 86.
60. Hartley. Op Cit. p. 279.
61. Hartley. Op Cit. p. 282.
62. Seale and McConville. Op Cit. p. 179.
63. Ibid. p. 184.
64. Hartley. Op Cit. p. 280.
65. Ibid. p. 280.
66. Ibid. p. 280.
67. Seale and McConville. Op Cit. p. 185.

68. Time Magazine, May 24th, 1968.
69. Seale and McConville. Op Cit. p. 102.
70. Hartley. Op Cit. p. 282
71. Time Magazine. May 24th, 1968.
72. Hartley. Op Cit. p. 282.
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74. Hartley. Op Cit. pp. 284-285.
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BEHAVIORAL POLITICAL SCIENCE:

A PROBLEM IN THEORY AND VALUES

CAROL E. VERRET

Preface

The purpose of this paper is to explore the behavioral approach to the study of politics and the conception of science that it entails. The behavioralists seem to incorporate a purely empirical approach in their manner of political research and appear to assume that science consists of a methodology for the acquisition of accurate knowledge about the given subject matter. There are other notions regarding the nature of science which are less rigid than the empirical one and the issues of this paper do not preclude political study as scientific in these alternative views of science. However, the behavioralist's adherence to a strict empirical methodological conception of science involves them in a series of contradictions that compels one to question whether the study of politics is susceptible to this strict empirical methodology and, if not, in what sense can we then speak of a behavioral science of politics? These contradictions between methodology and subject matter are most acutely demonstrated in the behavioral approach to theory formulation and the role of values in political research.

The premises governing the applicability of an empirical scientific method to the subject matter of social science, such as political science, are clearly stated by a philosopher of science, A.J. Ayer in his article entitled "Man As A Subject for Science." Ayer is an exponent of this strict empirical view of science and in this article states that

... the difference between these generalizations (i.e. those of social science) and those that can be found to govern other natural phenomena is nowhere more than a difference of degree. ... There is nothing about human conduct that would entitle us to conclude a priori that it was in any way less lawlike than any other sort of natural process. (*Italics Ayer's*) ¹

The deterministic implications of Prof. Ayer's remarks are particularly troubling for the study of politics for "... the problems of politics are posed by the discrepancies between what is and what ought to be." ² To posit a conception of 'what ought to be' is to suggest that man can choose to alter the existing environment. While any prolonged discussion of the age-old dichotomy of free will and determinism is quite beyond the scope of this paper, the ramifications of such a view of human behavior touch the very core of the nature of political knowledge and certainly bear upon this discussion.

In order to provide a basis for pointing out the problems inherent in behavioral political science, it will first be necessary to trace a brief intellectual genealogy of that school of thought. After this is accomplished we will proceed to examine the work of David Easton, a leading behavioralist, and contrast it to an Aristotelian conception of three kinds of knowledge, art, practical wisdom and science. It is hoped that the contrast between an Aristotelian conception of science and the work of Easton will reveal an insight into both the nature of science and the nature of politics.

INTRODUCTION

The "... behavioral persuasion..."³ or approach to the study of politics can best be understood if its intellectual origins are examined. Empiricist doctrine first severed the connection between fact and value when David Hume postulated that an 'ought' is not logically derivable from an 'is'; ⁴ however, its genealogy more

recently leads to the Vienna Circle and the Logical Positivists. This school of thought endorsed a unified science, which included the natural sciences and the social sciences, based upon the assumption that the methodology of the former could be consistently applied to the latter.⁵

Building upon Kant's distinction between analytic statements, (those that are logical truths reducible to tautologies and not empirically verifiable) and synthetic statements, (those statements of fact that are empirically verifiable) the Logical Positivists asserted that only synthetic statements have meaning due to their empirical verifiability.⁶ This attitude "... assumes that empirical information can be dealt with only in a descriptive manner and is amenable only to the method of induction..."⁷ Included in the class of analytic propositions are those which contain metaphysical or abstract terms, ethical statements and all theoretical statements that can neither be proven true or false by empirical observation and are hence rendered meaningless. This attitude has had a very profound effect upon the study of politics as political discourse traditionally includes within its vocabulary such transempirical concepts as justice, freedom, equality and so on.

In an attempt to account for these unverifiable nonempirical statements and to justify their classification as meaningless, an emotive theory of ethics was developed. Since the language of political discourse shares a value-ladenness with that of the study of ethics, a brief synopsis of this theory is in order.

The emotive theory of value terms as propounded by A.J. Ayer, C.L. Stevenson et. al. was founded upon the premise that because "... ethical statements are not descriptive of natural facts they are not descriptive of anything at all" ⁸ These kinds of statements grounded in emotion are used as expressions of approval or disapproval and for the purpose of persuasion.⁹ The most obvious defect in this theory is that a blanket rejection of value terms as meaningless reflects a value judgement in itself and, as such, undermines its own fundamental premise.

However, the effects of this positivistic view upon the

study of politics and the value terms associated with it have been profound. The first reaction was to conduct the study of politics through purely empirical research, eschewing any theoretical orientation. Through the assemblage of data the empirically oriented political researcher could describe certain aspects of the political reality. This phase was most conspicuously revealed in the early concentration on voting behavior. Voting was an easily manageable unit of analysis and the assemblage of relevant data was readily available.¹⁰ However, "... a patternless empiricism..."¹¹ could provide little more than arid descriptions, and any venture into interpretation fell into the realm of theorizing. As B.C.Parekh has noted "... a ton of empirical inquiry cannot yield even an ounce of interpretation and critical analysis."¹²

Within the philosophy of natural science, the positivists themselves were experiencing difficulty in consistently adhering to the criterion of strict empirical verification. In addition to the ambiguities of subjectivity and perception inherent in sensory observation, the elementary unit of data, the verification principle could not encompass such abstract notions as categories which were essential to give meaning to empirical data. The selection of data as relevant or not was fraught with the implications of value bias. The positivists subsequently revised the criterion of empirical verifiability to one of verifiability in principle. In other words, if it was conceivable that a proposition could be verified under certain given conditions at some future time, then the proposition could stand.¹³ Unfortunately, this still failed to account for abstract concepts.

The positivists downfall may have rested in a mistaken notion of the purely objective nature of, and the methods of, natural science, (That is, an assumption on their part that science was an accumulation of facts and that this cumulative body of data was sufficient to describe and predict natural phenomena). However, their influence can still be discerned in much of the literature of behavioralism. As the limitations of strict positivism became too stringent to accommodate meaningful political research, a need for

articulate theory was felt within the discipline.

... the development of systematic, empirical theories of political behavior, in particular in the form of empirically verifiable models (are) generally sets of working hypotheses. Empirical theory is supposed to draw together individual research operations and give them purpose and significance. ¹⁴

However, this still fails to account for non-empirical value concepts and thus leads to confusion as to the role of values in political behavior.

The work of David Easton, a major proponent of the development of this kind of theory, will be explored in a subsequent section of this paper. However, it is useful at this point to note that the echoes of positivism are to be heard in Easton's analysis of value judgements and the role that they play in political research.

This assumption that values can ultimately be reduced to emotional responses conditioned by the individual's total life-experiences... does not exclude the possibility of examining values as observable facts associated with human activity. ¹⁵

But elsewhere in the same section he states that values are "... essentially dissimilar to factual aspects of propositions ..."¹⁶ and that "... scientific reason excludes from its scope and skill the discovery of the kind of values that a society ought to pursue"¹⁷ Certainly, values cannot concurrently be observable facts and dissimilar to facts. Even if values could be construed as facts, the methodological problems of observation and quantification would require the development of a process other than the empirical notion of scientific reason for Easton claims that values lie outside the domain of science.

The confusion is profound.

If confusion is rife concerning the nature and role of political values, it is paralleled by confusion over the use of the term

"theory." Speculative theory along with its values was dismissed from the realm of meaningful discourse by the positivist criterion of verification . As a result, the term "theory" has been indiscriminately applied to both normative, speculative theory in the classic tradition of Aristotle and the empirically verifiable theories of the behavioralists. Certainly, there is a conceptual difference between the two and that difference is not fully articulated by referring to the former as political philosophy and the latter as political science when the subject matter is common to both. "... It is evident that empirical (including behavioral) and normative knowledge are equally essential, if indeed it makes sense to distinguish the two."¹⁸ Easton again exemplifies the confusion when he says in the same paragraph that "... theory needs to be free to develop unhampered by excessive worries of verification ..."¹⁹ and conversely that "... all that we need to demand of theoretical research is that in principle we are able to test it by reference to sensory data ... to the extent that we could never reduce a theory to terms of research it would thereby have proved itself inadequate."²⁰

The slight modification from verifiable in fact to verifiable in principle still fails to deal effectively with values and speculative theory. In other words, it still denies the question rather than replying to it.

In an attempt to avoid confusion in this paper, certain operational terms will be established with the realization that there are certain problems in setting up arbitrary definitions such as Heinz Eulau has noted:

The difficulty begins with definitions. If taken seriously, definitions commit and constrain. They orient their user and reveal his orientation. They are embedded in his concepts and his theorizing²¹

Bearing this in mind, the following definitions should be considered as expedient tools to help clarify the issues of this discussion while simultaneously making no claim to the absolute truth of each.

(1) Theory: In the absence of a comprehensive definition of political theory, i.e. one that does not force all theory into the

realm of philosophy or that demands of it strict empirical verifiability, Dante Germino postulates a definition which appears to be a good starting point;

Political theory aspires to the same level of understanding and critical awareness as does political philosophy, but it may confine itself to the explicit elaboration of only a "segment" or dimension of man's political existence and so only implicitly contains the comprehensive reflection discovered in political philosophy proper. ²²

Theory bases itself upon articulated reflections of epistemology and as such entails both normative and descriptive elements.

Theory is "... characterized by a remarkable sense of tension between the good ... and the practicable" ²³ Theory reveals and explains aspects of political reality that should be generalizable beyond the historical period in which it was created. The political theories of Aristotle, for example, are still able to reveal to us aspects of the present political environment.

The term "theory", then, will be used in this paper to denote those works of an explanatory and normative nature that find their basis in an internally consistent logical epistemology as exemplified by the political works of Plato and Aristotle, to name but a few. Political theories of this kind differ from behavioral scientific ones by virtue of the normative element inherent in them, that is, theories about politics not only explain the existing political environment but entail or imply prescriptions for its improvement. This normative element is lacking in the theories of natural science since it would be nonsensical to consider, for example, how atomic particles should behave. However, to remove this normative element from political theory would imply that there is no need for improving the existing environment.

(2) Conceptual Frameworks: David Easton Prefers a definition of this term as follows:

... A conceptual framework consists of those
... assumptions which an investigator uses in

understanding an analysis within a given field.
 ... It is a system of working hypotheses, adopted
 and used only as long as it helps to orient
 empirical research There is nothing
 sacrosanct about a theoretical scheme such as
 this, and the same one need not to be adopted²⁴
 to help understand different problems.

A conceptual framework is created for the purpose of collecting
 and ordering data and since "... there is nothing sacrosanct ..."²⁵
 about it, it presumably makes no claim to absolute verity. Its
 function is relative in that "... the same one need not be adopted
 to help understand different problems ..."²⁶ so that one con-
 ceptual framework may be judged to be just as good as another, de-
 pending on the needs of each situation. There is nothing in the
 nature of conceptual frameworks that would allow comparison and/or
 contrasts between them and the only professed normative implication
 of a conceptual framework is that its existence governs the collect-
 ion of certain empirical data. A conceptual framework is designed
 to order and explain rather than to prescribe. David Easton's
 'Systems Theory' as outlined in A Framework for Political Analysis²⁷
 provides an example of a conceptual framework.

(3) Behavioralism: While any definition of this term is
 likely to be controversial, it seems reasonable to conclude that
 the basic premise of this school of thought is that

The political behavior of the individual person
 is the central and crucial empirical datum of
 the behavioral approach to politics.²⁸

At first glance, this appears to be not unlike the strict empirical
 approach. However, the behavioral school insists that empirical data
 is insufficient.

The kind of problems that the political beha-
 viorist formulates cannot be solved without
 recourse to the concepts and theories of the
 several behavioral sciences.²⁹

They view theory as a "... tool on the road to knowledge..."³⁰
 in the form of a "... model used in the analysis of empirical
 data"³¹ In other words, explicit theory formulation

and articulation is fundamental to behavioral empirical research.

Heinz Eulau, a prominent exponent of this point of view, sees this conception of theory as "... a continuation of the classical tradition of political inquiry" ³² However, he admits that the great issues of political discourse such as freedom, justice and authority are beyond the present range of behavioral inquiry due to their metaphysical nature. ³³

Due to this exclusion of value-laden or metaphysical terms from behavioral theory, they shall hereafter be referred to as conceptual frameworks, in keeping with the previously established operational definitions. It is hoped that the following discussion will demonstrate the utility of these distinctions.

DAVID EASTON : CONCEPTUAL FRAMEWORKS

The work of David Easton is considered here for he articulates the nature and purpose of the conceptual frameworks that are characteristic of the behavioral approach to political research. Easton stressed the need for "... a conceptual framework or systematic theory to give meaning, coherence and direction to ongoing research..." ³⁴ which was realized through his subsequent development of a 'systems theory' of political life. ³⁵ The content of this 'systems theory' is less important for our purposes than its structural features. Easton's notion of a theory is more in keeping with the previously established definition of a conceptual framework but this is a distinction that he, himself, does not make and consequently, he uses the terms interchangeably.

For Easton, a conceptual framework is an "... analytic tool ..." ³⁶ for the ordering of data with the goal of drawing connections between them. It is constructed to order existing data and to set the parameters for research yet to come. ³⁷

It (conceptual framework) consists first, of a set of concepts corresponding to the important political variables and second, of statements about the relations among these concepts. ³⁸

However, some concepts employed in the discourse of politics tend to

be somewhat ambiguous terms that defy all but the most arbitrary of definitions. Easton notes the concepts of policy, authority and power and agrees with Eulau that all of these concepts imply certain value judgements.³⁹ However, Easton is not prepared to exclude these transempirical terms from behavioral research.

It is at this point that Easton is at pains to describe the relationship of political values to his conceptual framework and the nature of those values.

... moral views influence theoretical thinking to such a degree that a conceptual framework would be incomplete without a clear knowledge and understanding of its moral premises ...⁴⁰

Values influence the selection of empirical problems, the selection of data to be considered relevant and the ultimate interpretation of that data.⁴¹ Values, then, are clearly fundamental to the conceptual framework.

However, Easton adopts an emotive view of the nature of values. Values are an expression of preferences or emotional responses to a given situation and as such are logically dissimilar to facts.⁴² Easton, himself is crucially aware of the position into which these assumptions force him when he states

In assuming that values are expressions of our preferences and essentially dissimilar to factual aspects of proportions, I am in fact adopting a conception of values which will prove least convenient for the defence of the kind of study of values I find necessary today in order to develop rounded systematic theory.⁴³

The inconvenience of this position is further confounded by his proposal to treat values as observable facts.⁴⁴ These are problems that Easton never quite dispells but he attempts to bridge the impasse by saying that it is sufficient for the creator of a conceptual framework to expose his moral premises for "... moral judgements are too complicated for any individual to summarize ... or to clarify their full meaning ..."⁴⁵

By insisting that the conceptual framework meet the criterion of empirical verifiability, that is, that the empirical

data fit within the framework if it is to be considered valid, Easton has adopted a somewhat tenuous position. If we accept the premise that the moral foundations of the framework determine the questions that can be asked, the data to be considered, and its subsequent interpretation, the criterion of empirical verifiability becomes tautologous. It would seem absurd to suppose that a framework would not be verified by the data which was in turn determined by the framework itself.

Conceptual frameworks are relative for Easton, because much of political science is cultural bound.⁴⁶ There is no possibility that conceptual frameworks can produce generalizations that will endure through history for "... a final and eternally valid conceptual framework is a goal that in principle lies beyond the realm of possibility"⁴⁷ This implies that there is a difference between the generalizations of natural science, which are expected to be valid through time, and those of social science, which in principle cannot.

Easton realizes one crucial difference between the subject matter of natural science and that of political science when he states

... The limitation on discovering valid and universal social generalizations of theories seems to throw social science into a state of confusion. A generalization can be expected to maintain its validity only so long as it does not become part of the common culture. It can describe the way people behave only while they are ignorant of it, while it is not part of their definition of their situation.⁴⁸

This restatement of R.K. Merton's "Self-fulfilling Prophecy"⁴⁹ logically leads to an infinite regress where every description, prediction and/or generalization about the data alters and eventually becomes part of the data, becoming an independent variable in the environment it purports to study.

Easton would like to refute this view of social theory but has difficulty in doing so. Once he has admitted that "... most generalizations are limited by time and place"⁵⁰ and that

"... since men have consciousness they will presumably alter their behavior in the light of their knowledge of the way they are said to behave ..." ⁵¹, it does not follow that the absence of any universally generalizable theories in political science is attributable merely to the immature state of the discipline. He also states that only inter-disciplinary work with anthropologists could ever result in cross-cultural political generalizations. ⁵² The hybrid result of that union could be called political-anthropology but would it be political science?

At this juncture, several questions arise. In what sense can Easton's conceptual framework be said to be scientific and if it is not scientific, what is it? In what way does the subject matter of natural science resemble that of politics so that it makes sense to speak of political science? In an attempt to address these questions, a different theory of knowledge will be employed in order to give clarity to the comparison between natural science and politics and to the relationship of Easton's conceptual frameworks to both. The model to be used is found in Aristotle's Nicomachean Ethics. ⁵³

THE ARISTOTELIAN MODEL

It has been said elsewhere that political science has not yet advanced beyond the stage of Aristotle. ⁵⁴ While neither condemning or condoning that proposition the author reveals the prestigious place that Aristotle continues to occupy from the viewpoint of certain political scientists. It is for this reason that we now turn to Aristotle's model of the three levels of knowledge in order to illustrate the epistemological status of David Easton's conceptual frameworks.

In Book VI of the Nicomachean Ethics, Aristotle describes three levels of knowledge. They are (1) art or Techne which is concerned with making, (2) practical wisdom or Phronesis which is concerned with action in regard to ethical considerations and (3) scientific knowledge or Episteme which is concerned with

knowledge of necessary and unchanging features of the universe.⁵⁵
 A brief summary of each is in order before this discussion can proceed.

1. Art

Art or Techne is "... identical with a state of capacity to make ..."⁵⁶ and it is

... concerned with coming into being, i.e. with contriving and considering how something may come into being which is capable of either being or not being, and whose origin is in the maker and not in the thing made; for art is concerned neither with things that are, or come into being, by necessity, nor with things that do so in accordance with nature.⁵⁷

Aristotle cites architecture, as exemplary of art, where the model of the thing to be made exists first within the mind and the object is constructed by way of reasoning about the exigencies of the situation. For example, an architect must take into consideration the principles required to build a sound structure before he draws the plans for a new structure.

The objects of art are not compelled to reflect anything in existent reality for when the model reaches fruition, that is, when it is concretely realized, it takes its place in the external environment and as such becomes a component of reality. Thus, the objects of art are variable.

Moreover, the objects of art may be useful to man, that is, the object of the architect's art, a house for example, would of course be useful to the person who dwelled within it. In addition, one man's art may depend upon another's; as is made clearer in the example of the architect who depends upon the art of the carpenter and that of the carpenter's toolmaker. Art, then, has a utilitarian function in man's knowledge and could be likened to the modern notion of technology.

2. Practical Wisdom

Practical wisdom or Phronesis is concerned with "... a

true and reasoned state of capacity to act with regard to the things that are good or bad for man."⁵⁸ It is different from art of Techne in that "... while making has an end other than itself, action cannot; for good action itself is its end... ." ⁵⁹

Men who possess practical wisdom "... can see what is good for themselves and what is good for men in general..."⁶⁰ and for this reason are good at managing states.⁶¹ The actions that follow from practical wisdom are freely chosen, aiming at some good for man. For this reason "... it is impossible to be practically wise without being good."⁶²

This level is where ethics is located for Aristotle but it is also the domain of politics for "... one's own good cannot exist ... without a form of government ..." ⁶³ and the aim of politics is that which is good for man.

For even if the end is the same for a single man and for a state, that of the state seems at all events something greater and more complete whether to attain or to preserve; though it is worth while to attain the end merely for one man, it is finer ... to attain it for a nation⁶⁴

At this point, it will surely be objected that Aristotle himself postulated the term political science when he says that politics is the master science. However, a careful reading of the text reveals that Aristotle considers it as such only in that it is politics that determines which of the sciences to be pursued within the state.

Politics ... ordains which of the sciences should be studied in a state, and which class of citizens should learn and up to what point they should learn them; ... politics uses the rest of the sciences ... and legislates as to what we are to do and what we are to abstain from⁶⁵

The ultimate aim of politics is "... the good for man ..." ⁶⁶ and this clearly implies an ethical dimension which only one of the three levels of knowledge encompasses, that of Phronesis or practical wisdom, not science as described in the following section. If this presents a confusion in Aristotle, it is

likely to become the subject of ongoing debate; however, this author maintains that any confusion may be one of translation rather than imprecision on the part of Aristotle.

3. Scientific Knowledge

Art and practical wisdom deal with things that are variable but scientific knowledge or Episteme deals with things that are constant. For Aristotle the "... proper object of scientific knowledge is something which cannot be other than it is."⁶⁷ Unlike the object of art which may or may not come into being and the object of practical wisdom which is right action that could have been otherwise, the object of scientific knowledge is necessary, "... un-generated and imperishable ..."⁶⁸ It is a permanent feature of the universe that is apprehended rather than created.

However, scientific knowledge is not purely empirical. All scientific knowledge proceeds from assumptions regarding 'first principles' that can only be grasped through "... intuitive reason ...".⁶⁹ These first principles are not to be confused with the object of scientific knowledge for first principles cannot be demonstrated, only inferred. Aristotle provides us with the following example:

The first mover, then exists of necessity, ... and in so far as it exists by necessity it is in this sense a first principle. ... On such a principle, then depend the heavens and the world of nature.⁷⁰

In the modern sense, first principles correspond to the fundamental assumptions that guide scientific reasoning such as the principle of causality, the presumption that there is an external reality which is governed by a form of 'natural law', i.e., that the universe is orderly. These assumptions are not empirical since they rest largely on faith but empirical propositions are formulated in terms of these assumptions. In other words, the data of our senses is made coherent by these 'first principles' that give us clues to the discovery of the objects of scientific knowledge.⁷¹

In what way does the Aristotelian conception of science

correspond to the behavioral conceptual framework of Easton? The subject matter of this framework is human political behavior which could be construed as a permanent feature of the political environment. However, the most striking feature of that behavior is its mutability, as Easton himself notes.⁷² Human behavior, unlike atoms for example, changes in light of the generalizations made about it, and due to this fact conceptual frameworks must also be mutable.

It is in this area of generalizations regarding the data that a striking contrast appears. As we have seen, conceptual frameworks exist as models to test the "... relevance of succeeding research, ...to sort out, select and reject observable facts ...".⁷³ In this sense the conceptual framework is not derivative of the data but, conversely, the data to be considered relevant is derived from the conceptual framework. In other words, the conceptual framework exists a priori to the data. When Easton states that "... facts therefore imply theory ..."⁷⁴ he means that "... theory which would make sense out of my selection of these particular facts as being relevant."⁷⁵

For Aristotle, on the other hand, the generalizations characteristic of scientific knowledge are arrived at by a process of reasoning about the data. Scientific knowledge is derived from the data and stands in an a posteriori relationship to that which it purports to describe and explain.

If Easton's conceptual frameworks do not meet the Aristotelian criteria of science, do they correspond to an Aristotelian conception of politics? In the Aristotelian model, Phronesis or practical wisdom makes ethical considerations the basis of politics.

Easton also realizes that "... the inspiration behind political science is clearly ethical ..."⁷⁶ and goes on to say

...The utility of political research stems from the fact that it helps men to decide upon the kind of political system they would prefer and to understand how to go about changing social policy to obtain it.⁷⁷

However, due to his positivist intellectual heritage, Easton cannot

account for the derivation of a prescriptive judgement from descriptive empirical data. What is the logical step required to make the transition from the 'is' of political empirical research to the 'ought' of prescriptive judgement?

Easton's unit of data, individual political behavior, is concerned with activity and in that respect could resemble Aristotle's conception of practical wisdom. However, the conceptual framework, the unit for analysis of this data, can only describe this behavior. Although value assumptions are implicit in the formulation of a conceptual framework its very structure and function preclude any value judgements following from it. It cannot account for value judgements as a motivation of behavior for while behavior is observable, motives are not; and it is conceivable that different motivations could produce strikingly similar behavior. If "... in their actions all men do in fact aim at what they think good ..." ⁷⁸ behavior must become incomprehensible without knowledge of the aim of men's actions.

As has been previously illustrated, the conceptual framework exists prior to the selection of relevant data, for it is the framework that determines the data's relevance. The researcher gives form and substance to the data much as the architect gives form to the raw materials of wood, nails, and so so, with the blueprints clearly in hand. The analogy between the architect's blueprint and the behavioral researcher's conceptual framework is not a difficult one to draw.

The conceptual framework is arbitrary and because there is nothing "... sacrosanct ..." ⁷⁹ about it, it may be discarded or replaced by another should it become inconvenient, just as the architect's blueprint can be changed or replaced given the exigencies of the situation. Therefore, a conceptual framework must be considered variable and we have seen earlier that only art or Techné deals with things that are variable.

In the same sense that the architect's structure becomes a part of the external environment when it reaches fruition, so the conceptual framework becomes constituent of political reality.

Easton alludes to this when he describes how the knowledge of generalizations about human behavior becomes an element of that behavior. Perhaps the notion of political reality itself is particularly susceptible to this idea of arbitrary construction through the grids of conceptual frameworks for, unlike the subject matter of the natural sciences, it is difficult to postulate immutable features of the political environment.

Like the objects of art for Aristotle, the conceptual framework has no ethical dimension except implicitly in its formulation. As the architect reasons from an opinion about the features and principles of a sound structure, so the behavioral researcher formulates his conceptual framework with an idea about the techniques and methodology that will reinforce the form he is giving to the data at his disposal. To illustrate this point, one has only to note the plethora of studies of politics undertaken under different conceptual frameworks, explicit or implied. For example, institutional studies are based upon the assumption that political reality can best be apprehended by analysing the functions of political institutions. Others assume that power, its location and distribution is the fundamental constituent of political reality; and still others proclaim that economically determined class structures are the rudimentary components of political life. All of these claim validity for their respective approaches but if facts imply theory (because they are determined by the operant assumptions of the investigators) then they are in large part self-fulfilling and as such constitute that reality that they purport to describe.

We have seen that, according to the Aristotelian model, Easton's conceptual framework is not scientific nor is it political in an important sense of that word. Christian Bay has criticised these behavioral conceptual frameworks as being "... pseudo politics ..." ⁸⁰ precisely because they exclude values from their analyses of political life. We would add to this, contrary to Prof. Eulau, who maintains that human behavior is the root of politics, ⁸¹ that values are the root of politics.

CONCLUSION

Perhaps the title of this section is a misnomer for an epistemological analysis of behavioral conceptual frameworks raises more questions than it answers. It is one thing to expose structural defects within an architectural design but it is quite another to formulate possible corrections. However, the questions that arise are worthy of consideration and reflection.

The most striking question, we find, is: In what way does political reality stand in the same relation to us as physical reality? Bernard Crick has suggested that there may be "... an absolute incompatibility between scientific and social truths...".⁸² If the assumptions underlying science are the existence of an orderly universe that exists independently of our knowledge of it and that this universe is governed by 'natural law' how can it correspond with the mutable, man-made realm of politics? If the domain of politics does not fall into the universe of science for Aristotle, in what way is our modern conception of science different so that it makes sense to speak of political science?

As noted earlier in the introduction to this discussion, Prof. Ayer has concluded that

There is nothing about human conduct that would entitle us to conclude a priori that it was anyway less lawlike than any other sort of natural process.⁸³

However, it could be objected that there is nothing about human behavior that would allow us to assume a priori that it is in anyway lawlike in the manner of physical phenomenon. David Easton has proclaimed that

Scientific reason excludes from its scope and skill the discovery of the kind of ultimate values a society sought to pursue. It thereby removes from its competence a crucial area in human affairs.⁸⁴

The question arises: Is a scientific method which excludes the formation and examination of political values suitable to encompass the scope of politics? The language of political discourse

is fraught with value terms and prescriptions, for example, how would one attempt a scientific study of justice; or is this a contradiction in terms?

This is not to say that empirical research is not utilitarian, but it does suggest that perhaps there should be a more intimate relationship between political philosophy and empirical research. However, if empiricism assumes a deterministic view of the nature of man and philosophy assumes that man orders his behavior in view of the values that he chooses, is such a synthesis possible?

Footnotes

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EUROPE'S RECALCITRANT CHILD

CLARE KELLER

When Churchill called for the building of a United States of Europe during a speech in Zurich in September 1946, he had no intention of including Britain as a participant in the movement. Instead, he envisioned Great Britain as a sponsor and friend of European unity, a guiding light leading the war-torn continent towards a lasting peace, and a future of stability and prosperity, perhaps with the assistance of the monetary power of the United States. Britain herself would remain aloof, as was befitting a great power, equal in status to the US and the USSR. Furthermore, her relationships with, and responsibilities to, the Commonwealth and colonies were of paramount importance, and could not be sacrificed for the sake of Europe.¹

If this attitude appears autocratic and condescending, it must be viewed within the context of the era. Britain had emerged from the war as a major victorious power, which, in contrast to her European neighbours, had been neither defeated nor occupied, and whose political and economic institutions had remained intact despite the war. Of equal importance, she headed an Empire and Commonwealth comprising three-quarters of a billion people and was, in addition, a close working ally of the largest industrial economy in the world - the United States.²

British pride in her uncontaminated sovereignty through two world wars, coupled with a certain disdain for Western European states which had failed to retain theirs, were important factors in the position adopted by British leaders on the issue of European unity.³

In 1946, union with a relatively prostrate and demoralized Europe, seemed to offer little material or political advantage to Britain, even less so if, in a few years time, it meant severing her transoceanic ties. She still saw herself as the centre of "three circles", that is, an essential part of a trans-Atlantic unity, a Commonwealth unity, and a Western European unity. Yet for the purposes of establishing priorities, Europe was clearly relegated to the lowest position.⁴

This Philosophy remained until the mid-fifties, yet for almost another decade, despite much political rhetoric to the contrary, integration into an exclusive form of Common Market was looked upon with reservation and suspicion. For the British people, no less than for the Government, the question of European integration transcended the mere economics of the situation. It was the fear of losing the "national way of life", of being swallowed up in a Europeanism or Continentalism, which was distasteful to a people still imbued with the nostalgia of King and Empire, even when, by the mid-sixties, the case could clearly be made against non-participation.⁵

From 1950 onwards, Britain's international economic position seemed to be in a continual state of crisis. As investment increased in modernization of outdated industrial equipment, domestic prices rose, and with them came balance of payments crises, with earnings on the foreign trade account falling below disbursements. As economic spending was deliberately slowed down, Britain fell further behind her trading partners in industrial growth and efficiency, causing another spate of business investment to cope

with the decline. This "stop-go" policy did not abate until November 1967, with the devaluation of the pound, but even then the respite was shortlived, when foreign competitors began increasing their exports as British domestic prices began rising once more.⁶

Thus Britain's principal economic problem in the second half of this century has been the balancing of her external trade account. She has continually fought to maintain a sufficient volume of exports to offset the necessary imports of food and raw materials, but all too often has managed this balancing of accounts only with US economic assistance.⁷

The balance of payments problem was aggravated by Britain's position as the cornerstone of the sterling bloc. Within this bloc of Commonwealth countries, the free exchange of goods and services was encouraged, while earnings in gold and dollars were pooled for use as settlement in external bloc transactions, with Britain serving as Banker.⁸

The Commonwealth preferential trading system was inextricably tied up with the sterling bloc area. It was a system based on a negotiated reciprocal tariff between members, which not only encouraged intra-Commonwealth trade, but which also maintained a protected market for British manufactured goods, in exchange for preferential tariffs on imported food and raw materials from Commonwealth members.⁹

All these factors contributed to the unique position of Britain in any negotiations regarding European unity. Indeed this unique position was further emphasized by the fact that Britain had traditionally been a "maritime power" which stemmed naturally from her position as a self-contained island. This geographic accident in itself made her an oddity to the continental Europeans, and to a great extent, was reflected in substantially different cultural and political values from her neighbours. It was this "island" concept

which was frequently manipulated by de Gaulle in his continued rejection of British membership in a European union, and his insistence that Britain totally resign herself to a final "mooring" alongside the quay of Europe.

This resignation did occur, but the metamorphosis of British political culture and politics, from colonialism to Europeanism, was a long and oft humiliating process, one which, in general, was aided by her friends in Europe, but conversely, was almost destroyed by the vanity and nationalism of de Gaulle. The process began in the mid-fifties, shortly after the Conference at Messina in June 1955, at which the six principal powers of the European Coal and Steel Community, France, Germany, Italy Belgium, Holland and Luxembourg, met under the leadership of Paul-Henri Spaak, to lay the foundations for the development of a European Common Market.¹⁰

Pressure on Britain to take the initiative in the formation of this entity had been great, yet the Conservative Government of Anthony Eden was reluctant to involve Britain in an exclusive economic bloc, particularly in view of her Commonwealth and US commitments. On the other hand, the six European powers were making great strides towards economic integration, and if she did not take the lead at this time, she could well be relegated to the sidelines, without power to influence the decisions of a major European economic force.¹¹

It was this reason that the "Europeans" within Britain argued that the risks of not participating in the customs union, and of not taking the leadership whilst the door was still open, could be far greater over the long-term than the immediate disadvantages would infer.¹² Yet the pro-marketeers were still in the minority. The overwhelming majority in Parliament felt that Britain's leadership role, by definition, imposed upon her a duty to all seventeen members of the Organization for European Economic Cooperation (OEEC), including the remaining states which would be economically penalized

by the formation of an exclusive customs union. The majority opinion in the House, therefore, was decidedly against any question of Britain herself entering into such a union, without receiving prior satisfactory economic safeguards for both the OEEC and the Commonwealth.¹³

The opposition to an exclusive union did not, however, preclude British participation in some form of inclusive free trade area, within the OEEC, but which would leave external economic relations outside the association to the prerogative of each individual participant. The Common Market of the Six on the other hand, provided for common external tariff (CET) protection, which was totally unacceptable to Britain, since she would be unable to reconcile her position as head of the sterling area, and of the Commonwealth, with a position in this form of economic union. Nonetheless, she was still anxious to strengthen and unite the Western European economies, and it was to this end that the Government sought an Alternative solution, one which would not only be attractive enough to sway the Six away from the Messina Plan, but which would also open the door to total OEEC participation, while at the same time leaving preferential Commonwealth trade unhindered.¹⁴

The conception of a free trade area (FTA) formally originated with the Spaak Report of April 1956, which set out the framework for negotiations on the Rome treaties, and which elaborated on an arrangement whereby other countries might join with the Six outside of the Common Market, in a free trade area.¹⁵

While the treaty debating was in process, Britain, under pressure from the OEEC Council, undertook to reappraise her European policy, and her hostility to the Common Market.¹⁶ Over the next few months, the Government conducted intense discussions with Commonwealth members and major domestic interest groups in industry, agriculture and labour, in an attempt to find an equitable solution.

By the next meeting of the OEEC in September, Britain had drawn up a working paper on possible points of accord for British participation in a free trade area. The plan was based on the assumption that the Six would succeed in forming a Common Market, which could negotiate as a single unit within a wider OEEC free trade area, including at least the UK, Norway, Sweden, Denmark, Switzerland and Austria, plus those of the other OEEC countries wishing to join.¹⁷ There would be an industrial tariff reduction of 90%, to be implemented on a gradual basis, but foodstuffs were initially to be excluded from negotiations. Quotas would also be abolished, with the exception of an escape clause, to be used sparingly in cases of extreme balance of payments difficulties, and subject to stringent monitoring by an FTA body. However, all members would retain complete freedom over their external tariffs and quotas with respect to the rest of the world, subject only to their commitments under the General Agreement on Tariffs and Trade (GATT).¹⁸

Within Britain, opinion on the European scheme was segmented. Prointegrationists were convinced that an FTA would create a European market comparable in size and resources to that of the USA, and would provide Britain with an opportunity to re-establish her commercial leadership of Europe.¹⁹ The mass of British public opinion remained apathetic to any European integration at that time, mainly because the Government chose not to politicize the issue. The opposition Labour Party was, in general, unfavourable to the scheme, and British industry was divided over the subject. Those efficient enough to expand production, welcomed the possibility of large European markets, but Britain was still living in a period in which protection, in one form or another, either through exchange control, or other methods of trade restrictions, was still a comfort to the less competitive and the less efficient industries.²⁰

Nevertheless, the Government decided to seek the approval of Parliament, for Britain to conduct exploratory negotiations with Europe, in accordance with the principles laid out in the working

paper. In his opening speech to the House, MacMillan, Chancellor of the Exchequer, promoted the cause of a European economic alliance, while taking cognizance of Britain's special position in the "three circles".²¹

No small part of our own economic and financial strength and that of our partners depends upon our association with the various countries ... within the British Commonwealth. And, even stronger than these most material interests, are, of course, deep emotional bonds..

We are European geographically and culturally, and we cannot, even if we would, dissociate ourselves from Europe. We are moved by the continued efforts in the post-war world to strengthen the unity and the cohesion of the old world.. We are members of a great alliance which itself links across the Atlantic the old world and new, and we can never be²² unmindful of any of these three forces at work upon us.

In early February 1957, soon after MacMillan assumed the Prime Ministership, the Government published a White Paper - Plan G - setting out its views on integration. The Paper, circulated to all members of the OEEC, proposed the establishment of an FTA through the gradual abolition of tariffs and non-tariff barriers (NTB's) on industrial goods, but without the political integration, agricultural programmes, harmonization of financial and social policies, or the strong central or supranational institutions proposed by the Six. Commonwealth preference was to remain intact, and was non-negotiable.²³

Plan G reflected what the British Government considered to be a major concession in its traditional policies of non-involvement in European affairs, Yet all to many OEEC members, particularly those agricultural exporters, such as Denmark, Holland, Italy and France, saw in the Plan a continuation of British non-commitment to Europe, and a perpetuation of Commonwealth ties at the expense of the OEEC. As it was presented, Plan G would open European markets to British industrial exports, while denying her own agricultural markets to Europeans unable to compete with the Commonwealth preferential tariffs.²⁴

Although not totally rejecting the British proposals, the OEEC Council of Ministers refused to agree to Britain's platform for an exclusively industrial FTA, and instead unanimously adopted a resolution to begin negotiations "in order to determine ways and means on the basis of which there could be brought into being a European Free Trade Association".²⁵ The resolution made special mention of the need to work towards the objective of expanding agricultural trade on a non-discriminatory basis, and specifically left unanswered the questions of overseas territories and FTA institutions.²⁶

Within the Six, negotiations on the Common Market had culminated in the signing of the Rome treaties on March 25, 1957. Subject to final ratification by the individual governments, the treaties would bring into effect the European Economic Community and EURATOM, on January 1, 1958.²⁷

Although Her Majesty's Government officially welcomed the Rome signings, the event spurred Britain to push for rapid progress within the OEEC, towards the establishment of an FTA, so that tariff reductions could be introduced simultaneously with those inside the EEC.²⁸ But there were already signs of French resistance. After having succeeded in including the French Colonial Empire on the most favourable terms within the Common Market infrastructure, they were now satisfied themselves, and less sympathetic to the needs of others. Indeed, two months later, in May 1957, the French requested a delay in the FTA negotiations pending formal ratification of the Rome treaties.²⁹

Despite this setback, MacMillan met with Konrad Adenauer in Bonn on May 2nd to discuss the formation of a larger free trade area, and received the Chancellor's assurances that Germany would push for the resumption of talks following ratification of the Treaty of Rome.³⁰

Adenauer was himself experiencing domestic political difficulties over the Common Market negotiations, and wished to secure the Treaty before embarking on negotiations for a wider free trade area. The conditions of Germany's participation in the Common Market had precipitated an open clash between the Chancellor and his Economics Minister, Dr. Erhard, who was strongly opposed to the Rome Treaty on the basis of pure economics. He felt that France cared little for free trade per se, but was using the EEC to protect her economy, and through the proposed CET, would succeed in preventing a wider FTA from challenging French domestic and EEC markets.³¹

Furthermore, Erhard was annoyed at the substantial economic concessions made by Germany to France, as part of the price paid by Adenauer to bind the French to the European Community. Over the next few years, Adenauer was to intervene "on several occasions to force his economics minister to accept compromises in France's favor" that Erhard felt would ultimately lead to a disintegration within Europe "of the worst kind".³² Thus, although Adenauer was sympathetic to the British proposals for a wider FTA, he was not willing to jeopardize the Franco-German rapprochement, either in 1957 or in the years to come, and it was therefore Dr. Erhard upon whom the British relied to assist them in their quest.

Erhard was receiving strong backing from leading members of German economic life. Due to the particular makeup of her export markets, Germany, under the existing framework of the Rome Treaty, stood to suffer economically at the expense of France. It was for this reason that, in 1957 and again in 1963, German economic interests pushed for an inclusive free trade area, while French interests were adamantly against the extension of free trade. Of total French exports, 25.2% went to EEC countries, but only 16.4% to other OEEC members. Germany on the other hand, exported 29% of her total external trade to the EEC and 29.4% to other OEEC members.³³ As such, Erhard and the industrialists were justifiably worried that the creation of common external tariff barriers around

the EEC would harm German trade, and were therefore most anxious, of not to include Britain within the EEC, at least to hastily conclude an agreement for a larger FTA within the OEEC.

Thus it was with the full support of German industry that Britain pushed forward with her broader trade integration plans, with the hope that Erhard could bring enough pressure to bear on Adenauer to ensure the success of the plan, in spite of the French.³⁴

By late summer 1957, it became clear the FTA negotiations would fail if Britain kept insisting on disallowing foodstuffs in the initial agreement. The trade-off appeared to be that in return for permitting British manufactured goods into their markets, the OEEC members required some form of association with the UK which would not damage their agricultural interests at home, and which at the same time would permit them easier access to British agricultural markets.³⁵ In essence, this meant that Commonwealth food would not be given preferential entry into Europe under the potential agreement, but conversely, Britain would need to adjust her preferential Commonwealth system to equalize entry criteria for European agricultural exports.

The concessions the British were willing to make were put forward to the OEEC Committee in October 1947 by Reginald Maudling, but they were by no means an equitable form of compromise. The new proposals provided for freer and increased agricultural trade, and an annual review system, but the priority which Britain accorded to Commonwealth trade precluded any changes in the existing tariff structure or the Commonwealth agricultural preferences.³⁶

Although the modified British plan was once again greeted coolly by the Europeans, when the OEEC Council met again on 16-17 October 1957, it unanimously passed a resolution declaring its determination to establish an FTA which would associate its members with those in the EEC. The tariff reductions in this new entity

were projected to take effect on January 1, 1959, concurrently with those scheduled in the Rome Treaty. The Council also established an Inter-Governmental Committee at the ministerial level, under the chairmanship of Maudling, to conduct the negotiations. Plan G provided the backbone for discussions, but it was quickly enlarged upon to include rules for administering points of origin, competition, agriculture, coordination of economic policy, coal and steel, nuclear materials, movement of labour, capital and transportation, and the position of overseas territories.³⁷

By March 1958, it was becoming increasingly apparent that the major obstacle to the FTA was not Britain's agricultural policies, but French opposition to the whole principle of a larger free trade area. The EEC members themselves had not yet reached agreement over agricultural arrangements, and thus could not bring concerted opposition to bear against the British proposals. The French resistance, however, stemmed from both economic and political factors. On the economic side, French industrial interests were fighting hard to prevent the opening of a second front in the entry of duty free manufactured products, in addition to the existing heavy pressure from German competition.³⁸ In order to protect her own markets therefore, while affecting to support free trade, France proposed two major modifications to the British plan, which would obviously be unacceptable to Britain. The first was that agreements for tariffs and quotas should be made on an industry-by-industry basis, which would ultimately offer the hard-pressed French industries indefinite protection until competition had been "harmonized". The second was that preferential tariffs in Commonwealth countries for British manufactured goods, should be extended to include a certain quota of Continental European goods.³⁹

Resistance on the political side came from the British proposals to unite both the EEC and the FTA under a central institutional body "within which the ideals of United Europe could be fostered and developed."⁴⁰ This proposal caused considerable alarm in French Government circles at a time when Federalist opinion was in favour of supranational institutional frameworks rather than a loose inter-

governmental body.

Negotiations were further complicated by internal political squabbling in France over the Algerian situation, which finally brought down the Government on 15th April. As the crisis came to a head in France, all further unification plans for Europe stalled, and it was not until after de Gaulle's investiture as Premier on June 1st, that negotiations falteringly resumed on European free trade.⁴¹

Nonetheless, de Gaulle's domestic political and economic problems were severe, and he was not prepared to involve France in any new free trade entities which could prove detrimental to her already weak economy. As such, on November 14th, the French Government unilaterally rejected the concept of the FTA, without any prior consultation with its EEC partners:

It is not possible to create a Free Trade Area as wished by the British - that is, with free trade between the Common Market and the rest of the OEEC, but without a single external tariff barrier round the seventeen countries and without harmonization in the economic and social spheres.⁴²

Having outrightly rejected the British proposals, de Gaulle requested an immediate meeting with Adenauer to obtain retroactive approval for his Government's decision, and despite the efforts of Erhard, the conference ended with a "mild triumph" for de Gaulle. The veto was a severe setback to the British, who had relied on Erhard to salvage something of the Maudling Committee proposals, but with both France and Germany in accord, the remaining four members of the EEC reluctantly approved the move, and to all intents and purposes, negotiations for a FTA came to a standstill.⁴³

During the two years of negotiations 1956-1958, in which the formulation of an FTA had been a British policy objective, the Government had undergone a considerable change in attitudes. From seeking to confine arrangements to merely the removal of trade barriers

on industrial goods, and to limiting cooperation in economic policies and agriculture to the existing OEEC mechanisms, it began to accept an increased role for supranational institutions some majority voting, arrangements on agriculture, and more extensive economic cooperation.⁴⁴

This change was of particular import in light of the prevailing climate in Britain's most powerful political lobbies - the Federation of British Industries, the National Farmers' Union, and the Trades Union Congress. These groups were united in their opposition to British participation in any supranational arrangements. Each saw the removal of final decision making power to a central European authority as the first step towards a decrease in their influence. If the Government with which they maintained such close, almost corporate relations, was no longer to determine economic and social policy, these groups saw themselves as being submerged to the will of a European majority.⁴⁵ Thus, in addition to the Government's commitments to its "three circles" philosophy in external affairs, it was further constrained in the FTA negotiations by its domestic pressure groups.

With the collapse of the FTA talks, Britain turned once again to consideration of a more limited industrial trade association. During the 1957-1958 Maudling Committee negotiations, six countries outside the EEC had frequently found themselves in harmony on the FTA concept. Following the French veto, at the invitation of Switzerland, government representatives of these countries - Britain, Denmark, Switzerland, Austria, Norway and Sweden - met in Geneva on December 1, 1958, for exploratory talks on concerting their actions, independent of the remaining OEEC members. Portugal unexpectedly attended the meeting, thus bringing the number to seven.⁴⁶ The talks proved highly productive, and led to two further meetings in Oslo on February 21 and Stockholm on March 17-18, 1959, to prepare detailed plans for a consolidated FTA.⁴⁷

By May 27, 1959, Sweden had prepared an amended plan, based substantially on the British Plan G formulations, and when representatives of the Seven met again near Stockholm on June 1-13, agreement was reached in principle on the fundamentals of the Swedish plan. Five weeks later, on July 20-22, the commerce ministers of the Seven signed a draft creating a consolidated trading bloc - the European Free Trade Association (EFTA).⁴⁸

The obvious futility of continually postponing free trade while de Gaulle played paternal defender of EEC interests, had prompted the Seven to form an independent coalition as an outright challenge to the Common Market of the Six. The draft laid out proposals to reduce tariffs on industrial goods by 20% on July 1, 1960, and to abolish all tariffs and NTBs gradually over a ten year period.⁴⁹ There was to be no CET, and no harmonization of social or fiscal policies, such as those dictated by de Gaulle as a prerequisite for any future amalgamation with the EEC. Agricultural and fishing products were to be excluded from the agreement, but were to be subject to individual negotiations as would be deemed fit at a later date.⁵⁰

Drafting of the EFTA treaty began on September 8, and the completed document, which was to form the basis of the EFTA Convention, was Initialled by ministers of the Seven on November 20, 1959.⁵¹ The Stockholm Convention, as it became known, was officially ratified by all seven countries on May 3, 1960, and in accordance with the agreement, tariff cuts of 20% and expansion of import quota limits by the same proportion, went into effect on July 1, 1960.⁵²

By all accounts, Britain should have greeted the formation of EFTA as a triumph over de Gaulle. But although the Convention was modelled very closely after its Plan G, the political and economic consequences of splitting Europe into "sixes and sevens", particularly during this period of tense cold war relationships

with the East, caused the British Government considerable consternation. MacMillan, throughout the negotiations, had not urged free trade as an end in itself, but had seen it as a stepping stone to the economic unification of a Western Europe which could exist as a strong and stable force in the face of COMECON and the USSR. To

this end, he had continually advocated a policy of "bridge-building" between EFTA and the EEC, and by creating a vast rival industrial free trade market, the Seven had hoped to bring pressure to bear on those members of the Six dependent on extra-EEC trade, particularly the Benelux countries, but including the substantial sector in German industrialists headed by Dr. Erhard, to force France to reopen negotiations for a wider OEEC free trade area. It was known that these groupings had always been lukewarm to the formation of an exclusive Common Market, and were uneasy over the possible loss of EFTA export markets, particularly since under the projected EFTA tariff reductions, tariff preference within the association would have been stronger than within the EEC. But the Seven's strategy backfired, and faced with a definite loss of large export markets, the EEC Commission responded in November 1959, with a counter-strategy, in light of the rapidly improving trade position within the Community, to accelerate the EEC schedule of customs reductions, to take effect on July 1, concurrently with those of EFTA.⁵³

For MacMillan this was the antithesis of British policy objectives. Not only was he afraid that economic division of Europe would necessarily involve its eventual political and military division as well, but he also believed that the UK could not afford the discrimination against her exports, which would precipitate a new sterling crisis.⁵⁴

The acceleration plans of the EEC forced the UK to re-examine its policies with respect to its position in Europe, and, while MacMillan was bringing pressure to bear on the US and de Gaulle to prevent any economic division from occurring, his mind was already

turning "more and more to the dangers of Britain remaining outside the community which controlled a central position in what was left to free Europe".⁵⁵ It was to this end that he appointed Ted Heath, Lord Privy Seal, to study the special problems of the Commonwealth, the Seven, and British agriculture, in the event that Britain were forced to join the EEC for political and/or economic reasons.

Before the ink had dried on the Stockholm Convention, a solemn Harold MacMillan announced to the House of Commons, on July 31, 1961, that after several months of discussions, his Government had decided to apply under Article 237 of the Rome Treaty, to commence negotiations with the Community, in order to ascertain whether satisfactory arrangements could be made to accommodate the special interests of Britain, the Commonwealth and EFTA within the EEC.⁵⁷ On August 10, Britain formally applied for membership. Faced with the rapid economic and political success of the Community, her own economic problems, disappointment over the declining economic importance of the Commonwealth, and consistent prodding from the US, she had reversed her policies of non-involvement in European unity, from force of circumstance. But it was not with price or genuine conviction that she prepared herself for negotiations. As Frankel points out

This step was justly regarded as a watershed in British history; it expressed Britain's realization that she could not maintain her traditional position as one of the few Great Powers, that her capabilities were insufficient to match those of the Superpowers. 58

Formal negotiations began in October 1961, but from the start there were two important obstacles to any consideration of British entry. The first was once again the difference between the French and German international trade compositions, which made it far less favourable for France to permit British membership than for Germany. Thus while de Gaulle paid lip service to the wellbeing of the Community as a whole, he was in no way willing either to permit an advantage

to Germany without adequate concessions to France, or to relinquish his carefully cultivated hegemony within the EEC.⁵⁹ The second obstacle was MacMillan's own philosophy. As far as MacMillan was concerned, in order to gain approval of the British electorate for the European course, he had pledged himself to obtaining safeguards which were incompatible with membership in the EEC, and thus were virtually unobtainable. The high price set on Britain's entry reflected Mac Millan's priority concern with obtaining domestic acceptance, rather than with concentrating his efforts on reaching agreement in Brussels, for later consideration by the British public.⁶⁰

The Government soon became trapped in a vicious circle of its own making. The inescapable need to make concessions to Europe, enabled the omnipotent Beaverbrook Press, the Labour Party, and the Lobbyists, to inform the public that Britain was "negotiating on her knees", thereby undermining Heath's credibility in the Brussels negotiations. In turn, the Europeans gained the impression that MacMillan was desperate to enter the Community, that he had staked his political career on the EEC, and would therefore be obliged to accept whatever conditions were dictated for entry. Accordingly, France stiffened her agricultural demands, requiring the abolition of British deficiency payments, and the completion of transitional arrangements by 1970.⁶¹

When detailed negotiations began in 1961, France made it clear that acquiescence to British demands for special concessions, to minimize the detrimental effects of entry on Commonwealth trade, British agriculture, and EFTA, would seriously jeopardize French economic interests. Between October 1961 and August 1962, negotiations centered on the CET and its effect on the future of Commonwealth trade. Although agreement was reached on the importance of manufactured goods from Canada, Australia and New Zealand, the Six were not prepared to permit a preferential tariff to continue on agricultural products from these countries.⁶² From October to December 1962, attention focused on Britain's system of direct

subsidies and guaranteed support prices to her own farmers, but no agreement could be reached on this matter either, and both unresolved issues were delegated to committees for further study.

Negotiations were due to open for a third round on 14th January 1963, but there was widespread pessimism regarding the possibility of reaching an accord. The laborious pace of negotiations, and the detailed and irrelevant exceptions requested by the Heath team, had exasperated even the staunchest of Britain's supporters. Yet nothing had indicated an actual breakdown in negotiations, and the participants were therefore unprepared when, on the day of the meeting, de Gaulle used his semi-annual press conference to intervene dramatically in the proceedings.⁶³

The President informed his audience that the Treaty of Rome has been concluded between six countries whose modes of agricultural and industrial production were similar, as were their patterns of foreign trade and commerce. In contrast, however, Britain was "insular, maritime, and linked by trade - by both markets and suppliers - to the most diverse and faraway countries."⁶⁴ The distinctive habits and traditions of the British people set them apart from the Continental peoples. He did not think that Britain, at the present time, could reconcile herself to the sacrifices she would have to make in order to align herself with the policies of the EEC, a sacrifice which would entail the unqualified acceptance of a CET, and the abandonment of Commonwealth preference, agricultural protectionism, and special relations with EFTA.⁶⁵

One week later, Couve de Murville, the French representative in the EEC Council of Ministers, moved "to adjourn negotiations with Britain 'sine die'". After several days of intense diplomatic manoeuvring, during which the German Government tried in vain to establish the EEC Commission as arbitrator in the dispute, negotiations were formally broken off on January 30, 1963.⁶⁶

If the veto was a severe blow to British policymakers, it was an outrage to the Dutch, Belgians and German Atlanticists, who had made substantial concessions to France in agricultural policies over the past year and a half, on the strict understanding that the concessions would facilitate Britain's entry into the Community. They had been tricked, and their resentment was amply reflected in their press attacks on de Gaulle.⁶⁷ Despite the signing of the Franco-German Alliance Treaty a few days later on January 23, relations between France, and Britain and the remaining EEC members, cooled considerably.

MacMillan's humiliating attempt to "take Britain into Europe" was, in part, responsible for his defeat at the polls on October 16, 1964, and in Britain, as in the EEC itself, Europeanism was about to suffer a serious setback. By the mid-sixties, the Community was in the throes of an economic crisis. The post-integration boom had slowed down significantly, and although the EEC had become institutionally amalgamated, it was increasingly cluttered by a top heavy bureaucracy. In addition, grave political difficulties arose between France and the other five members over de Gaulle's opposition to further progress towards supranational controls, and to his continuing refusal to consider Britain's uncancelled 1961 application.⁶⁸

The crisis climaxed in September 1965, when de Gaulle challenged the power of the EEC Commission to impose supranational decisions on a national government. His actions proved, in essence, that in the final resort integration must always be dependent upon the willingness of member governments to sacrifice their sovereignty, and that this surrender would only occur under politically expedient circumstances.⁶⁹

The crisis did little to help the European cause within Britain itself. The new Labour Government of Harold Wilson had traditionally been negative towards British entry into the EEC, even during its

era of prosperity, and while its election platform had stated that a new Labour Government would work towards a closer association with Europe, it emphasized that its main concern would be with closer ties to Commonwealth countries.⁷⁰

Throughout his first term in office, Wilson made little effort to revive the outstanding membership application, and in fact, British foreign policy reverted back to a pattern similar to that of the late fifties. However, this approach was modified somewhat in the March 1966 election platform, mainly due to external political and domestic economic factors, but Wilson's remarks on the subject still contained cautious reserve

... given a fair wind, we will negotiate our way into the Common Market, head held high, not crawl in. And we shall go in if the conditions are right...Negotiations? Yes. Unconditional acceptance of whatever terms we are offered? No. We believe that given the right conditions it would be possible and right to join EEC as an economic community. But (we will) reject any notion of a supranational body controlling foreign affairs and defence - still more the suggestion, favoured by leading Conservatives, that we should be willing to accept a European nuclear deterrent as part of the price for entry. If...we are able to enter the wider European community from a situation of industrial strength, we shall be facing a challenging adventure.⁷¹

Within a few months of its victory at the polls, Wilson's "conditions" seemed to be "right". On 10th November 1966, he announced to the Commons that, after careful review by the Cabinet of Britain's relations with Europe, the Government had decided to embark on a series of exploratory talks with EEC governments, to assess whether there were indeed mutually beneficial grounds upon which to commence negotiations for entry.⁷²

The great European integrationist, Jean Monnet, was delighted at Wilson's initiative, and threw himself wholeheartedly into his "crusade" to convince the EEC governments of the need for

British entry.

England is bound to enter the Common Market if she does not want to become the fifty-first American state. Her economy is falling apart. The Commonwealth is breaking up. The pound is burdened with the weight of war debts. But such a great country, the only one in Europe to escape defeat, cannot easily shed its pride and its illusions. We must help the English make up their minds, for the sake of the general interest, we must facilitate their access to the Continent.⁷³

While Monnet prepared his schemes and schedules for Britain's entry, Wilson and his Foreign Secretary, George Brown left London on 15th January 1967 for Rome, the first port of call in the exploratory talks with the six EEC governments. Britain, Wilson preached, was willing to accept the Treaty of Rome, and would not seek any amendments or revisions which would fundamentally alter its character. He stressed the great contribution which Britain could make to European technology, and her willingness to play her part in the evolution of political unity.⁷⁴ However, although he intended to drastically curtail the 1961 demands for entry, negotiations would need to include 1) the Community's Common Agricultural Policy (CAP), 2) the Commonwealth, 3) problems related to freedom of capital movements, and 4) regional policies.⁷⁵

With the exception of the Paris talks, there was general enthusiasm towards the British initiative. But de Gaulle proved strongly opposed to the position of Sterling as a central support currency, and indeed, this point was also raised by Dutch Prime Minister, Dr. Zijlstra, during the visit to the Hague. Article 108 of the Treaty covered mutual assistance in the event of balance of payments difficulties for any of the members, but none of the Six's currencies were reserve currencies. In the case of Britain, it would be difficult to distinguish between legitimate liquidity shortages, and those invoked by a crisis of Sterling on world money markets.⁷⁶ De Gaulle therefore argued that fluctuations in the Sterling market could, conceivably, cause violent movements of capital, and create a deflationary situation in Britain, resulting in the export of unemployment to the Six.⁷⁷

Despite this objection, Wilson saw no substantial impediments to entry which could not be negotiated away in good faith. Heath had asked for 788 special concessions in 1961-62, and now Wilson was asking for only 47 major items, including permission for Ireland, Denmark, Sweden and Norway to be admitted to the EEC at the same time as Britain. De Gaulle, however, was outraged. If Britain entered the Community accompanied by a group of EFTA countries, she would not merely be joining the EEC, she would be preparing to conquer it.⁷⁸

Nonetheless, Wilson was convinced that agreement could be reached during formal negotiations, and accordingly, upon his return to London he decided to recommend to Parliament that, for the sake of protocol, a new application be made for entry to the EEC. On May 2, 1967, the resolution was passed by the House

Her Majesty's Government have today decided to make an application under Article 237 of the Treaty of Rome for membership of the European Economic Community and parallel application for membership of the European Coal and Steel Community and Euratom..⁷⁹

The final vote on 10th May approved the Government's policy, carried by a massive 488 votes to 62, with 80 abstentions. Although 36 Labour leftists broke Party solidarity by voting against the Bill, while another 51 abstained, it was nevertheless an overwhelming majority, and Wilson had his mandate to proceed with the application.⁸⁰

Yet the relatively long period of time which had elapsed between Wilson's first announcement in November, and final Government approval in May, had deviated considerably from the detailed schedule drawn up by Monnet in 1966, and the situation in Europe had altered with respect to British entry. Monnet had urged immediate and unqualified application by Britain in November 1966, while de Gaulle was still facing an impending election, and was therefore more flexible.

But the British had wasted precious time with their visits to the six governments, and the French elections had already passed. Even though de Gaulle had barely scraped through with a two seat majority, he could now afford to be less accommodating than before.

Two days after Wilson obtained Parliamentary assent for his application but before he could move on the issue, de Gaulle held a press conference on 16th May, which plainly set the tone for France's position in the negotiations

I am not going to prejudice what the negotiations, if they take place - I repeat, if they take place - would be about... Today I will restrict myself to general ideas, to a view of the subject as a whole which I think needs to be clearly stated.

I will start by saying that the movement which seems at present to be leading England to link herself to Europe instead of keeping herself apart is a movement which can only please France. This is why we note with sympathy what appears to be indicated by the British Government's declared aim and the step it has taken.

For our part, there is no question of there being a veto, nor has there ever been one. It is simply a question of finding out whether this conclusion is possible within the framework of the Common Market without bringing about destructive upheavals; or in what other situation and in what other conditions this conclusion could be possible; or whether it would be desirable to preserve what has been built until such time as it would appear conceivable to welcome England which, for its own part, would have undergone a profound transformation...81

..while one does not despair of the pound holding its own, the fact is that it will be a long time before one is certain about this because, in its relationship to the currencies of the Six, the pound is in the special position of being what is called a reserve currency..In fact, parity and monetary solidarity are essential rules, essential conditions of the Common Market. They cannot be extended to our neighbours across the Channel, unless some day the pound sterling appears in a completely new position so that its future value appears assured, it is freed from its character as a reserve currency, and the mortgage of Britain's sterling balance within the sterling area disappears. 83

He reiterated his objection to the simultaneous entry of the

other four OEEC members into the Community, arguing that this influx would alter the fundamental cohesion of the union, which would ultimately lead to its destruction. Furthermore, the fact that Britain was still attaching conditions to her application, meant that she had still not reached the "European" stage, and therefore the General felt it to be in the best interests of both Britain and the EEC

to wait for the change to be brought about by the internal and external developments of which, it seems, England is showing signs, In other words, that this great people, so so magnificently gifted with ability and courage, should on their own behalf and for themselves achieve the profound economic and political transformation which would allow them to join the Six continentals. 84

He concluded with what one British newspaper called "the velvet veto"

I truly believe that this is the desire of many people who wish to see a Europe appear which would have its natural dimensions and who have for England a deep admiration and a sincere friendship. If Britain one day reached this stage, with what joy would France then greet this historic transformation. 85

Although Wilson was extremely discouraged, Monnet refused to passively accept the General's unilateral decision to block negotiations. Instead he busied himself during the next month in rallying support for the British application, and on 15th June 1967, the Monnet Action Committee replied to de Gaulle by issuing a declaration, signed by 44 European leaders, and including for the first time, Germany's two major political party leaders, Willy Brandt and Herbert Wehner. The declaration demanded British entry into the EEC, and association of other candidate countries with the Six. 86

But despite the efforts of Monnet, and a subsequent visit to Paris by Wilson on June 17, the French were not yet willing to allow the British to challenge their power position in the Community, and on June 26, at a meeting of the Council of Ministers in Brussels,

Couve de Murville declared that the "Continentalists" must establish a common policy before entering into negotiations with Britain". He further argued that a Europe of Ten would be too vast an area to organize efficiently, and at the present time would be too weak to resist any single country's desire for conquest.⁸⁷

During the next five months the governments of the five attempted to salvage something of the British application, but on the same day as Britain devalued the pound by 14.3% to stabilize her currency in preparation for entry, Coudé de Murville vetoed the proposal to open negotiations with Britain.⁸⁸ Eight days later on 28th November 1967, de Gaulle pronounced the death sentence. He expounded on the points made six months earlier, and again called for a return to the gold standard and a disengagement of sterling from its position as a reserve currency. But until Britain could solve her "mid-Atlantic" position, the sterling position, her relations with the Commonwealth and capital flows, there could be no question of her entry into the EEC.⁸⁹

This was de Gaulle's third and final veto. Regardless of the General's professed reasons for disallowing Britain's inclusion, in one form or another, in the European Economic Community, by the end of 1967, the metamorphosis of the UK from colonialism to Europeanism was almost complete. To understand this transformation, it is once again important to review the status of her "three circles" philosophy, and the shift in British policy priorities over the previous few years. The factors which distinguish the 1966-1967 application from that of 1961-1962, satisfactorily reflect this shift. By 1967, the restrictive conditions which had strongly influenced MacMillan's application had eased considerably.

1. The concern with an independent foreign policy, although not totally assuaged, had largely evaporated, as the EEC over the last few years had proved its conservatism, and as entente became a viable alternative to the cold war.⁹⁰

2. EFTA restrictions had loosened somewhat. When the Association was formed, Britain had pledged not to join the Common Market unless arrangements were made which would also meet the needs of the Seven. However, on December 5, 1966, the EFTA Prime Ministers agreed at a meeting in London, to abandon the hitherto constraining system of bloc negotiations with the EEC, in favour of individual action on the part of the members, in close consultation and cooperation with the others, for improved trading terms with the EEC. When, in April 1967, this London Declaration was allowed to lapse by mutual agreement, Britain was free to negotiate with the EEC on a one-to-one basis.⁹¹

3. Events in the Commonwealth since 1963, had undermined British faith and hope in the future of this entity as a source of economic and political strength. The Indo-Pakistani war had highlighted Britain's impotence as a peacemaker in Commonwealth disputes. Ian Smith's Universal Declaration of Independence in Rhodesia, and South Africa's continued policy of blatant apartheid, had severely threatened Commonwealth relations with Black Africa. Finally, Commonwealth trade had decreased considerably in relative terms, vis à vis the EEC.⁹²

4. Although Britain's special relationship with the US was seriously wounded during the 1956 Suez Crisis, it was not until the early sixties, when Kennedy succeeded Eisenhower as President, that the amity in its traditional form, was severed. Firstly, the growing economic power of the EEC made it a far more lucrative economic partner than an isolated Britain. Secondly, the Cuban missile crisis of 1962 had brought home the fact that in matters of security, the United States did not consider it expedient to consult with Britain on the issues involved. Thirdly, as the sixties wore on, atomic weaponry became increasingly more sophisticated, and the US no longer felt herself incumbent on sharing all her nuclear secrets with the United Kingdom.

5. The final stumbling block - agriculture - constituted the

major remaining problem. The inevitable rise in food prices of 10% to 14% and a concomitant rise in the cost of living by 2.5% to 3.5%, if Britain were to conform with the Community's Common Agricultural Policy, would seriously interfere with domestic prices and incomes policies.⁹³

In light of these changes, by 1967 Wilson was determined to make the negotiations a success, in spite of his 1966 election speech, "and in essence was predisposed to accept almost any condition in order to gain membership".⁹⁴ Thus, the objects of the negotiations contained only a small number of what Britain considered crucial issues, to safeguard British and Commonwealth interests. These centred around the CAP, with Wilson's main request being for a more adequate transitional period. He did not pledge either to retain deficiency payments, or to prevent the demise of domestic horticulture, although he did point out that the financial burdens under CAP would involve an "inequitable" cost sharing, and a drain on Britain's balance of payments which, in fairness, she should not be asked to bear. He sought safeguards for New Zealand and countries covered by the Commonwealth Sugar Agreement. Yet unlike MacMillan, he emphasized that while these were major issues, they were not insurmountable.⁹⁵

In consideration of this transformation in Britain's attitudes towards European membership, it would appear that de Gaulle's veto was both premature and arbitrary, predicated upon motives ulterior to those he publicly espoused. This fact was openly acknowledged by the remaining Five who, bound by de Gaulle's own insistence on unanimity, were impotent to change the status quo.

Britain had found her final "mooring" place, and had resigned herself to her position as a great European power only, and not, as had hitherto been the case, as a Superpower on whose empire the sun never set. Yet she was no more "European" in January 1973 when she finally acceded to the European Community, or in 1974-1976 when she

renegotiated her terms of entry, than she had been at the start of 1968. What had changed was not Britain, but the leadership of Europe. The resignation of de Gaulle in April 1969 had heralded a new era of flexibility in EEC negotiations, and with it a genuine will on the part of the Six to finally make possible the entry into the Community of Europe's recalcitrant child.

Footnotes

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7. Stanley Rothman. European Society and Politics, New York, 1970. p. 812.
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12. Ibid.
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17. MacMillan, p. 79.
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19. MacMillan, p. 79.
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27. F. Roy Willis. France, Germany and the New Europe, Stanford, 1965. p. 251.
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42. Lieber, p. 35 - Quoted from Financial Times (London) November 15, 1958.
43. Willis, p. 280.
44. Lieber, p. 34.

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79. Wilson, p. 389.
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CIVILIAN-MILITARY RELATIONS IN ISRAEL.

HOWARD MANN

INTRODUCTION

The Israeli military has won world wide acclaim for its fighting abilities. It has consistently defended the state in times of war, and from terrorist attack. As well, the military has been important in other aspects of Israeli life, such as building the military-industrial complex, and establishing frontier settlements.

The purpose of this paper is to examine the civilian-military relationship in Israel and to see how this affects the decision making environment for military affairs. This involves looking at the institutions of the environment, the military elite, the political elite, and the bureaucratic elite, to determine their respective scopes of authority, and their inter-relationships. But further than this, it involves looking at the psychological setting for the relationship. Specifically it requires an understanding of the political and moral values the Israeli people have placed on the decision makers to govern their actions. This is a most important element in the civilian-military relationship, one that is central to the processes and institutions that have developed from pre-independence days.

To fully understand the source of these political and moral values, a brief look at the military history of pre-independence

Palestine will be taken. This will lead into a discussion on what is labelled the "era of transition", and how the values mentioned above were made effective. The work of David Ben-Gurion, the most powerful man in Israel from 1935-1963 will receive considerable attention here.

The development of the non military activities of the armed forces will be given attention in a section entitled 'Zahal's Role Expansion', as well as the bodies established to guide these activities.

The bulk of the paper will consist of tracing the development of the civilian-military relationship. This will be done in four parts, geared to show the role of key individuals in this relationship, and their influence in the establishment and maintenance of the basic principles of it. This section will follow through to the present time.

The question of nuclear development will be looked at in a separate section, because of the special nature of this weapon, and the role it can potentially play. Taking into account this special status, we will look at how it fits into the defence processes and establishment as they are described to that point.

Two case studies of decision making in the military sphere, concerning the 1967 and 1973 wars, will be presented. These will help to show the precise workings of the decision making process, and provide an opportunity to see how closely it follows the process described in the development section.

A short conclusion will reiterate the major points and provide some closing remarks.

JEWISH MILITARY HISTORY IN PRE INDEPENDENCE PALESTINE

The history of Jewish military forces in Palestine begins as far back as 1909. The Marxist oriented defense group of the Poale Zion Party, 'Hashomer', began operating on a very limited home defense scale at that time. In the first world war, a Jewish legion fought with the British forces. This provided enough experience to establish a 'Labour Legion' for the defense of Jewish settlements.¹

In 1921, the most important pre-independence group, The Haganah, was established, although it did not commence any underground type functions until 1925. The Haganah subordinated itself to the Mapai Party that was to control the Histadrut, Israel's labour union, and the government from 1948-1977. This subordination to political authority was an important feature of this defense group, allowing it to become an important element in the Zionist social system. In 1936, The Haganah was re-organized with funds from the World Zionist Organization. It became, as Amos Perlmutter says, "an embryo Ministry of Defense."²

During the 1930's, two rightist oriented defense groups developed. The National Military Organization, associated often with the notorious Stern Gang was one. The other was the Irgun, which was later to be led by Menachim Begin, now Prime Minister of Israel. Both these groups actively pursued a course of guerrilla type activities against British and Arab targets. The major problem with these units was their refusal to subordinate themselves to the recognized political authority of the Palestinian Jews, the leftist Mapai party. This led to a situation whereby the political leaders were forced to take actions because of the military acts these right wing groups initiated. This was in contrast to the Haganah which carried out its military operations only after being told to do so by the political authority. The dispute between these two factions became so bitter, that at one point the guerrillas were being reported to the Mandate Police by political leaders.

To counteract these right wing groups, and provide the necessary protection in view of the 1939 White Paper of the British, which was

decidedly pro-Arab, and the events of the second world war, the Palmach was formed in 1941. This was a commando style military group under the direction of the Mapai, drawing heavily for manpower and morale on the Kibbutzes. The Palmach training also provided leadership skills for use in training others in socialist activities after military service. "As a result, the Palmach became not only Israel's first elite corps, but also a role expansionist and ideologically motivated military structure imbued with a sense of mission directed towards national fulfilment."³ This active non military role was to be duplicated by the Israeli Defense Force after 1948.

The Palmach and Haganah provided Palestinian Jews with military forces that responded to political decisions with actions of both the aggressive and defensive natures, with general popular support. The Irgun and National Military Organization had limited popular support, and different political directions. These opposing units had to be moulded, in 1948, into one national fighting force.

THE ERA OF TRANSITION : 1948-1949

The task of moulding the diversified military groups into one cohesive national army was, "a monumental effort."⁴ The important figure in this undertaking was David Ben-Gurion, who was chairman of the Jewish Agency, and became Israel's first Prime Minister. It can be asserted that this task was made easier by the circumstances of independence. The fact of was required Israel to effectively coordinate its military effort. As a result, the conflicts within the defense groups and between them became secondary to the struggle for survival. The army became the first national organization formed from independent pre-independence groups.

Amos Perlmutter cites five concepts that were the guiding principles followed by Ben-Gurion in organizing the Israeli Defense Force, known as Zahal.⁵ They are:

- 1) The rapid nationalization, formalization and depoliticization of the army.
- 2) The supremacy of civilian authorities in issues of war and peace.
- 3) The Minister of Defense is final arbiter of civilian-military conflicts.
- 4) The military is under the direct control of the Minister of Defense.

- 5) There should be a group of military and civilian elites to advise on defense and foreign policy.

It is worthwhile to take a close look at each of these concepts, and what they involved.

The rapid nationalization, formalization, and depoliticization of the army involved several aspects. The most difficult job was to phase out the major independent groups, and form them into one fighting force. This meant creating the realization that the defense of the nation was the only priority of the army. The political ambitions of the Palmach, Haganah, N.M.O., and Irgun, had to be removed to allow the fighting men to blend into a unit. As part of his approach to the problem, Ben-Gurion decided to leave the precise organization of the military until after the War of Independence. This decision undoubtedly reduced the number of potential conflicts, by allowing the groups time to work together for the most basic goal of survival, and thereby feel each other out, and achieve, of necessity, a formula for an effective command. The only major job left for Ben-Gurion in this area after the war was the removal of far left leaning military officers. Although this was one reason for the resignation of many former Palmach Officers, it was considered a necessary step.

The supremacy of the civilian authorities in all matters of war and peace is a major element in the setting of the civilian-military relations. In the Israeli formula, the Minister of Defense, and ultimately the Prime Minister, must make the decision to start or stop a war, and give the political consent to major offensives. This power of the elected officials has never been diminished in Israel. Under this ideal, the Chief of Staff, as head of the army is responsible for carrying out the orders of the political authorities, and providing them with any information he might have available. As shall be seen later, this principle is strictly followed in times of impending and actual warfare.

The third element of Ben-Gurion's formula, that the Minister of Defense should be the final arbiter of civilian military conflicts is a restatement of the previous principle, but in a non-war context.

It is particularly related to the areas of technical and industrial importance to the military, which will be dealt with later in this paper. Briefly, it refers to an organizational setup wherein the civilian Minister of Defense has final authority in these technical affairs, over that of the military elite. This situation was accepted as well by the army, although for reasons beyond the notion of civilian supremacy.

The fourth principle again places the military under the direct control of the Minister of Defense, but is directed primarily at political subordination. The Minister has the task of appointing and removing all senior Zahal officers. A clear principle was established whereby army officers were to remain out of the public political process. "any attempt by officers to influence politics while still in uniform would have been crushed with little effort."⁶

The above ideas did not however completely depoliticize the army. The existence of the fifth principle, the establishing of a body of civilian and military elites to advise the Prime Minister on military and foreign affairs shows a tacit recognition that the armed forces are a powerful social and political group in Israel. This body provides an institutional outlet for the political views of the army officers, directly to the Prime Minister.

Ben-Gurion had several objectives in organizing the Israeli Defense Force. Foremost amongst these was, of course, ensuring the survival of the just-founded state in the War of Independence. Politically, his goal was to ensure that the fighting forces were loyal to just one thing, the State of Israel. To allow a continuance of party or group loyalties within the army would have meant possible divisions in the desired unity. Although such a division would not have occurred during a war, it could have materialized after one, thus complicating the job of building a strong armed forces, possibly to a critical degree. The fact that 'possible' negative consequences were foreseen did not lessen their impact. A prevailing feeling in Israel, from the first days of its existence, is that they cannot afford to lose a war, while the Arabs can lose a series of them.⁷ Any policy that might weaken the

I.D.F. was therefore to be avoided.

A second political objective was, as has been stressed, to ensure the subordination of the military to the civilian authority. There is no doubt that Ben-Gurion's goal was to ensure that the military did not by its own independent actions force the government to make political decisions, as had occurred prior to independence. Hence, his concepts were developed to ensure minimal autonomous actions.

Yet, at the same time, Ben-Gurion recognized, as mentioned above, that the military must have some input into political decision making where it might affect defense matters. It is due to this desire to ensure a legitimate military influence in decision making that this idea was explicitly included within the concepts listed above. Perlmutter makes the distinction that political articulation and commitment is not the same as political interventionism.⁸ He goes on to point out that it would be unrealistic to suggest that the generally better educated, more professional men found in the Zahal command should not have a legitimate input into the political process. It is the manner in which this input is made that is important.

"Changes in the structure of the army elite in Israel have produced a remarkable change in its ideology. No longer does it entertain the political expectations of the Palmach or the N.M.O.. It acts as one elite among others- an elite whose organizational tasks have been recruited to nation building, economic modernization, and national integration."⁹

The first half of this quote testifies to the legitimization of the role of the elite in the decision making process. The second half previews the discussion on the expansive role the Zahal was asked to play both during and after the era of transition that is about to follow.

ZAHAL'S ROLE EXPANSION

The implementation of the concepts described above during the 1948-1949 period ensured the subordination of the military to the civilian authorities. This however, does not mean that the Zahal

was forced to limit itself strictly to military matters. In fact, the Zahal became one of the major groups involved in the nation building process in Israel. In a lengthy passage, Ben-Gurion recognized the need to use the I.D.F. to its full potential.

"The primary function of the Zahal has been to safeguard the state. However, this is not its sole function. The army must also serve as an educational and pioneering centre for Israeli youth- for both those born here and newcomers. It is the duty of the army to educate a pioneer generation, healthy in body and spirit, courageous and loyal, which will unite the broken tribes and diasporas to prepare itself to fulfill the historical tasks of the State of Israel through self realization." 10

The armed forces did not falter in its expanded role. There were several basic thrusts to its external activities.¹¹ Within the education field, its role was twofold. Amongst its own recruits, it had the job of disseminating information, entertainment, and what can be referred to as indoctrination of the recruits in the prevailing social ideology as expressed primarily by the Kibbutz and labour movements. In short, their function here was to prepare the Israelis for both entering and leaving the armed forces. As well, there was the goal of closing the gap between the officers and enlisted men, creating a more egalitarian and unified, if somewhat less disciplined armed forces. The second area of education that was assumed by Zahal was for the public. This included education in outlying areas, and occasionally for the lower classes, and for handicapped children and other special cases.

Another thrust of the I.D.F. role expansion was in settlement. Aside from just protecting existing villages and kibbutzes, the Israeli Defense Force was charged with the responsibility to create new settlements. To do this, a program called Nahal was established. This provided agricultural training to augment the military training, within a socialist tradition. Upon discharge, the members of the armed forces were assigned to frontier settlements, to build and /or develop them. For the first few years, this was a compulsory

program, but because of objections from the right wing political opposition, it was changed to a volunteer basis.

Another important role of the I.D.F., although far more intangible, is in the area of national integration referred to in the last Ben-Gurion quotation. The Zahal, in this respect, promoted an image of itself that originated prior to the War of Independence. "The circumstances surrounding Israel demand a pioneer army: an army not bound by routine military functions, but an army fulfilling nation building functions."¹² This notion of a 'pioneer army' alluded to earlier in the passage of Ben-Gurion as well, promoted a spirit which all Israelis could relate to. This, coupled with the reputation Zahal earned by its victory in the 1948 war, gave the state a valuable source of national pride. Perhaps the best example of this ability of the Israeli Defense Force to develop this pride occurred on July 4, 1976, when they raided Entebbe airport to free one hundred skyjacked hostages. "Time Magazine", in its following issue provided extensive coverage of the elation of the Israelis, claiming that it may be the most important thing to happen in keeping Prime Minister Rabin in power, and that finally the trauma of the Yom Kippur War may be forgotten.¹³ Although this example is out of the time period being discussed, it does effectively illustrate the morale and spirit building capabilities of the I.D.F..

An effective synopsis of this discussion is provided by Gerald Romper, who states, "The army has served as a primary means of socialization and integration in a nation of immigrants, and as a model of relative efficiency and modernization."¹⁴

The final area of Zahal's role expansion is in the economy. It is in this field that contact with the public is most prevalent, and cooperation the most important. The control of Zahal's industrial interests is primarily within the civilian Ministry of Defense, the operation of which will be looked at later. For now, the objective will be to understand the aims of the I.D.F. in the industrial sphere.

In its most basic form, one of the aims of the military establishment was and continues to be to strive for self sufficiency in arms,

particularly small arms.¹⁵ To do this, the leaders had to promote the creation of related industries. This was in fact done, with many factories opening for the purpose of filling military requirements. This of course, is no different than any other state. After the era of transition, and particularly during the time of Shimon Peres as Director General of the Ministry of Defense, 1953-1965, the role of the military establishment, both civilian and enlisted, broadened considerably.¹⁶ The armaments, electronics, aircraft, and nuclear power industries were major benefactors of the military involvement.

The technical explosion in the weapons field required a complementary explosion in Israel in the weapons research field. To advance successfully required a high degree of cooperation between the research and development sector, and the military proper. While Israel did not lack the necessary scientists to partake in this research, they were for the most part not involved with the military, but rather were in the civilian mainstream. This meant a furthering of cooperation between the civilian-industrial complex and the military-industrial one. As a compromise between military control and complete civilian independence, the Ministry of Defense, as mentioned previously, became the custodian of the military industrial complex. This arrangement ensured that the necessary flow of information would have proper channels, as well as ensuring that the secrecy required would be maintained. The importance attached in Israel to the military-industrial complex is based on the view that there is a close linkage between science and security,¹⁷ compounded by the military position Israel finds herself in.

The growth of the military-industrial system did not occur without criticism.¹⁸ These criticisms included the threat to the civilian industries that could be posed by a growing military-industrial complex, particularly if these institutions relied on military men to fill managerial positions. It was claimed that this would stifle infant civilian industries, making it impossible for them to grow. This argument was countered with the view that

military needs would in fact lead to the creation of new civilian industries, whose survival would be ensured by the government. A second criticism was that the Ministry of Defence was becoming an industrial autarchy. This argument was countered by insisting that in any military related area, the Ministry must be able to control what happens. This defense, as well as the previous one, was put forward by the threesome of Ben-Gurion, Shimon Peres (Director General of the Defense Ministry), and Moïshe Dayan, (Chief of Staff, 1953-1957). To discuss the merits of these opposing arguments would take considerable space, and lead away from the main topic. It is sufficient here to say that the three leaders won the argument, and the military-industrial complex was kept under the control of the civilian Ministry of Defense, with substantial influence being accorded the military itself.

THE STRUCTURE OF THE MILITARY ESTABLISHMENT

The description of the Israeli military establishment must be made in two parts. The first, which will be done in this section, is to identify the structural bodies involved in decision making, and their functions. The second part is to see how the role of each body changed and developed relative to the others. This will be done in the following section.

The organizational setup attempted to reflect the five concepts that were detailed earlier. This was ensured when Ben-Gurion was elected as the first Prime Minister, and subsequently assumed the role of Minister of Defense as well. This assuming of the dual role by the Prime Minister lasted until 1967, when just prior to the Six Day War, Levi Eshkol was forced to relinquish the Defense portfolio to Moïshe Dayan. The dual role ensured that important military decisions would have to receive the final authorization of the highest political rank in the country, thus realizing the objective of civilian supremacy.

The role of the Minister of Defense was to oversee the operations of the Defense Ministry and the Zahal. In both cases, the leaders were responsible to him. The power to appoint and remove senior officers of the I.D.F. and members of the Ministry is vested in the Minister. Despite this power, there is no evidence to suggest that Ben-Gurion, or subsequent Prime Ministers and Defense Ministers abused it for personal political gain. Although political decisions had to be made, it would be extremely difficult to prove that they were not made in the best interests of the nation.

The Ministry of Defense was in charge of administrative affairs, as well, as the military industrial complex described earlier. Its basic responsibility was to co-ordinate the civilian aspects of the military's requirements. The growth of its industrial involvement provided the opportunity for the Ministry to expand its role and influence. Its increasing scientific orientation gave it a prestige of its own. But, it is nonetheless pointed out that, "In prestige and importance, the Defense Ministry has always ranked second to Zahal."¹⁹

Zahal, the fighting force, had gained its reputation in the 1948 war. It was surely the most respected institution in Israel. It had full control over tactical and strategic decisions, and a full time arms lobby pressuring the government for increased funds. As well, the armed forces view of the Israeli situation was generally accepted by the government and the population. This view included the idea of "Arab encirclement", that Israel was a nation with her back to the sea, and must therefore, maintain superior armed forces to survive. The general acceptance of this view ensured a high regard for the defense and foreign affairs opinions put forth by the Zahal command. The institutional outlet for these opinions was the Ad Hoc Committee on Defense and Foreign Policy.

The Military Establishment Structure:

See Appendix 1.

- The blue arrows indicate the direction of final authority
- The red arrows indicate the flows of information

This committee was made up of influential members of Zahal, the Ministry of Defense, and the government, under the Prime Minister. Its role was to discuss and advise the government on all important matters concerning defense. Michael Brecher points out that this included foreign affairs because of the correlation of this area and the security field.²⁰ The role of the military in this group was significant. Again referring to Brecher, he points to their role in foreign affairs decisions, and then expands his conclusion to make it more general. "In short, 'the military' have been a major source of pressure on Israel's foreign policy decisions since independence. They have also been among the most influential decision makers."²¹ While this committee served as an outlet for military views, it also provided a good medium for the thorough discussion of the views of the three different bodies participating, thus achieving a double purpose.

In 1961, Ben-Gurion created a new authoritative body, the Ministerial Committee on Defense. This was composed of senior, influential Cabinet members, again under the Prime Minister. It held key decision making powers, particularly in crisis situations. This organ was later turned into the 'Kitchen Cabinet' under Golda Meir. The importance of this body, referred to by Brecher as the "Inner circle"²² will be clearly seen in the discussion on the decision making process prior to the 1973 war, which is presented later in this paper.

As stated previously, this section shows only the mechanical setup of the military establishment. It does not show the development of their inter relationships, or their internal conflicts. These aspects will be looked at now.

THE DEVELOPMENT OF THE CIVILIAN MILITARY RELATIONSHIP

As one might imagine, the problems in fashioning a new state are immense. The role of the military is but one such problem to be solved.

The desired system of civilian-military relations in Israel has been described up to this point. Now, an attempt will be made to determine how the system did in fact develop. To do so, it is this writer's opinion that one must be conscious of the roles played by leading individuals in political and military life. Although it is true that this aspect can be over emphasized, the time periods that are determined by their relative degrees of influence do provide a useful framework to examine the trends in civilian-military relations.

1948-1963

This period in Israel's history is marked by the extreme importance of one man in the political system. As stated a few times to this point, David Ben-Gurion was both Prime Minister and Minister of Defense for this period, with the exception of an 18 month absence between 1953-1955. Yet even in his absence, his influence was felt. Amos Perlmutter summarizes this period by saying, "For all practical purposes, the army fell solely under the jurisdiction of Ben-Gurion in his dual role of Prime Minister and Minister of Defense."²³ It is likely, however, that this is an oversimplification of the matter. There is no doubt as to Ben-Gurion's major role. But as in any other democratic state, there are other influences beside one man. In this case there were internal struggles over the scope of functions of the Zahal vis a vis the Ministry of Defense, over the direction of the military industrial complex, and over military policy. It is in the resolution of these conflicts that the trends of this period can be seen.

The first years after independence provided a feeling out period between the political and military bodies. During this time, Ben-Gurion was the driving political force. Two other individuals also became very prominent in the civilian military relationship, both supporters of Ben-Gurion. These two, as mentioned previously, were Shimon Peres and Moïshe Dayan. Peres, the Director General of the Ministry of Defense from 1953-1965, actively built up his department's scientific and industrial involvements. In doing so he co-operated fully with

Dayan, who was Chief of Staff from 1953-1957, and the most politically conscious of the Zahal officers before that. In his top position, Dayan was left to do the work he felt was necessary. The Zahal had control of tactics and strategies, the rectification of borders, and maintaining pressure on the Arab armies. He left the economic and administrative aspects of the military to Peres and his staff. This kept Zahal a streamlined fast, and mobile army, while it increased the role and prestige of the civilian Ministry.²⁴ During this period, Ben-Gurion allowed 'his boys' to run their affairs without continuously interfering. His ideas on what was a proper division of power were worked out through co-operation between himself, Dayan, and Peres.

A breakdown in the process towards the development of the above relationship came in 1953, just prior to the appointments of Dayan and Peres. Zahal, led politically by Dayan, had asked the Cabinet to sanction a policy of instant retaliation by the Israeli Defense Force against Arab border raids. Such attempts between 1950-1952 had met with only limited success. They also wanted a policy of active and continuous aggrandizement of the I.D.F.. In both cases, they were supported by Peres and Ben-Gurion. The latter, however, could not gain the support of his Cabinet. The opposition was led by Moïse Sharett, the Foreign Minister, who supported the aggrandizement of Zahal, but was against the policy of retaliation. His option was one of moderation, hoping to further the possibility of an Israel-Arab rapprochement. Ben-Gurion would not accept the moderate approach, and resigned as a result. Before leaving, he appointed Pinhas Lavon, one of his supporters, as Defense Minister, Peres as Director General and Dayan as Chief of Staff. The position of Prime Minister was assumed by Sharett. By appointing his followers to the key defense positions, Ben-Gurion hoped to have his approaches continued. The events of the eighteen months before his return were not however, to follow the pattern of co-operation that had been developing.

A three way clash between Lavon, Sharett, and the duo of Peres and Dayan developed soon after their appointments. Available

information indicates that Lavon and Sharett did not work well together, neither trusting the other fully.²⁵ As well, Lavon attempted to become active in the day to day operations of the Zahal and the Ministry, as opposed to maintaining the position as general overseer and political decision maker for these bodies. His interference was resented deeply by both Dayan and Peres, who teamed against him in their operations. The critical argument arose over the use of a top secret spy network. Dayan did not want it used, Lavon did. When Dayan was away, Lavon held a meeting to activate it. A short time later, the ring was discovered in Egypt. Most members were jailed, one committed suicide, and two were executed. The military blamed Lavon for starting the operation, which became known later as the 'Fiasco'. He in turn blamed the General in charge of the intelligence group. A secret judicial enquiry was held, which maintained there was inconclusive proof to blame anyone. During the investigation, Dayan, Peres, and Sharett all testified to the incompetence of Lavon as Defense Minister, which was not part of the enquiry's scope. Intelligence officers were known to have lied to the enquiry, as well as supplied false documents. The affair turned into an attack on Lavon, who was forced to resign as a result. This led in short time to the return of Ben-Gurion to the dual role he had held prior to his resignation. The 'Fiasco', which was kept secret in 1954-55, was to become public in 1960, when it became known as the Affair.

In the five years between these two crises, Ben-Gurion was as much in control as ever. Upon his return, he found a different state of affairs than had existed in 1953. The Soviet Union had become openly pro-Arab, while the United States remained neutral. This resulted in a growing arms imbalance in favour of the Arabs. The situation in Egypt had also changed, with Nasser now exercising full authority, and leading the Arab states. There was growing evidence that a new round of warfare was not far off. With these facts in the background, and the continued vigorous advocating of Dayan and his officers, the policy of retaliation became firmly entrenched in the overall military policy.²⁶ As well, other basic policy elements, which have lasted to the present time, were

incorporated in this time period. They include: (1) A policy of deterrence through arms strength; (2) The Maintenance of first strike capacity; (3) Civilian-military co-operation on the armaments industry; (4) The rotation of the army command to keep it young and energetic.

The first time that concrete results of these policy elements were clearly visible was in the Sinai Campaign of 1956. It was proof that the military had developed into a strong capable Fighting force, and that this, combined with effective foreign policy would be the basis of Israel's survival. The Sinai Campaign will not be looked at in any detail here, as case studies will be made of Israel's last two wars. One thing is certain though, that the validity of the policies of the full Defense establishment was proven in the war, and that the support of the people for these policies would be maintained.

The tasks of building up the army and its support complex were continued at a steady rate through to the end of Ben-Gurion's reign in 1963. But this time was not to pass smoothly, despite the support of the general populace for the policies of the Prime Minister and his chiefs of staff, Dayan followed by Laskov, Tsur, and Rabin.²⁷

The 'Fiasco' of 1954 erupted publicly as the 'Affair' in 1960. Without going into too much detail, several points, as well as their net effects should be mentioned. Lavon wanted his name cleared publicly for the Fiasco that had occurred six years earlier. This time it became a personal struggle between he and Ben-Gurion. Due to procedural squabbles, Ben-Gurion refused to endorse a Ministerial Committee document that absolved Lavon, and blamed the intelligence officer. Although some of his allegations were tacitly agreed to, his name was not cleared publicly. In the showdown between Lavon and Ben-Gurion, the party chose their leader. Lavon had to resign from the party. Nonetheless, considerable political damage was done to Ben-Gurion, and before he left in 1963, much of his power had been lost. "It also set in motion a growing public and political debate on the role of the defense establishment, and

concern for the protection of Israel's democratic values and ideals."²⁸ Perlmutter derives the following conclusion on the relevancy of the Lavon affair to the study of the civilian-military relationship in Israel. "The Lavon affair is the most conspicuous representative act of constraint upon civil-military relations in Israel. It demonstrates how a particular rivalry between the defense minister and Zahal's high command was resolved within the higher political order, the civilian arena- the ruling party Mapai, the Cabinet, the general public- and not the military establishment."²⁹

One aspect of the military situation in Israel that is not directly related to the civilian-military relationship, but affects military outlook, is the perception of the overall situation in the Middle East, and the objectives which developed under Ben-Gurion as a result of this perception. Fuad Jabber divides the "objective facts" into three categories.³⁰ In the political realm he stresses the Arab refusal to accept Israel's existence, and their desire to drive the Jews into the sea. This he claims leads to two options for Israel. The first is to achieve peace. The second is to ensure deterrence through military strength. The next category is economic factors. This includes the scarcity of natural resources, and the chronic shortage of capital. Here Jabber points to the advantages of regional development after a political reconciliation in the area. The third factor is the geo-demographic situation. Here, he repeats what was said at the beginning of this paper, that Israel is a small country, and therefore cannot afford to lose a war. Jabber sums up the net effects of these perceptions by describing the military objectives that arise from them, and in fact, as Perlmutter suggests, the objectives of the whole state,³¹ in this way; "In short, the objective of Israeli strategy would be to deter and persuade in the short run, and impose peace on Israel's terms in the long run."³² Certainly, all nations perennially at war would have similar objectives, thus providing an almost innate obstacle to peace. This situation, which began in 1948, has lasted, on both sides of the struggle, up to the present time.

1963-1967

In discussing this time period, the Six Day War of 1967, and the decision provoking events leading up to it will be left out. These will be looked at in a case study later in this paper. At this point, the broad trend of the period when Levi Eshkol held the dual position of Prime Minister and Minister of Defense will be examined. An important factor here is the difference in military expertise between Ben-Gurion and Eshkol. While the former was always well versed and up to date in his military knowledge, Eshkol was not. Thus, he had to rely to a much greater degree on the information and requests he received from his Chief of Staff, Yitzhak Rabin, and from Peres until he left his post in 1965. Due to this, Rabin became the leader in the rapid growth and ultra modernization of the Israeli Defence Force, by continuously asking for and receiving the financing for new weaponry. As well, Rabin was successful in keeping the Zahal unburdened by ensuring that Eshkol did not transfer the military-industrial complex to the Zahal command.

The efforts of Rabin and his officers were simplified by the continued feeling of the Israel's for the importance of their defense. Shimon Peres is quoted to this effect. "Israel must be ready to meet a military attack for there is no alternative- no speeches, no acts, no slogans, no miracles; Israel must create a deterrent- psychological, political, and military- which is stronger than Arab power... She must also acquire modern weapons, both for war and as a deterrent."³³ This common attitude made the military expenses politically acceptable, and possibly even a political must. The effect of this policy was the creation of a very powerful military, as was seen in 1967. The policies of army strength, retaliation, and especially deterrence, had been taken beyond what even Ben-Gurion would generally have agreed to. Fuad Jabber makes this comment on the military strength. "It is undeniable...that the deterrent power of the Israeli forces was instrumental in making their opponents think twice about taking the military initiative, and thus gave the Israeli Air Force the opportunity to put in its

devastating, and decisive first strike."³⁴

Despite the influence of Rabin on Eshkol in military affairs, the final political decisions were still firmly in the hands of the civilian government. This aspect of Ben-Gurion's policy did not change, although it could be argued that the degree of influence of the Zahal command on political decisions affecting the military increased. In light of the documented increase in military expenditures, it would seem safe to say that this did in fact occur. But as shall be seen later, the decision to go to war was made fully by the political authorities.

1967-1973

The Six Day War produced many changes in the security situation in Israel. Her borders had been enlarged with the capture of the Sinai, the West Bank, and the Golan Heights. Because of this, what had been considered the four absolute 'causus belli' were removed. These were; (1) The diverting of the Jordan waters, (2) the closing of the Straits of Tiran, (3) control of the Jordanian bulge by a militarily strong force, (4) a building of Egyptian military concentration in the Sinai.³⁵ All the territory involved in these causus belli were now in Israeli hands. "Israel now saw herself as a nation that could be "defended" in the classical sense of the word, a situation that had not existed for her before."³⁶ As well, the Americans made it clear they would replace France as Israel's main weapons supplier, and ensure a balance of military power between Israel and her neighbours.

A brief aside from the main subject matter will allow for other general changes to be mentioned. These include the tremendous effect the military victory had on national morale, the reunification of Jerusalem giving to Israel her very soul, and the economy beginning a period of improvements that lasted until the next war. Both tourism and foreign private investment boomed. In short, Israel was to enjoy a time of growth and national feeling that she had not had the opportunity to experience before 1967.

The method of analysing the defense establishment to this point has been to look at the roles played by key personalities. During the 1967-1973 years, the strength of Moishe Dayan becomes central to the analysis. Immediately prior to the Six Day War, Dayan was appointed by Eshkol as Minister of Defense. His nomination to this important post was forced by public and media pressure, as well as political pressure in the formation of a National Unity Government. This led to a situation where Dayan gained a great deal of the credit, above what was due him, for Israel's triumph. "By symbolizing national unity and the resolve to win, however, the "Hero of Sinai" reaped all the fruits of victory. Dayan received the credit for what had actually been a permanent and continuous effort of the Israeli people, government, and military strategists, to which the Eshkol administration³⁷ and Rabin's leadership had made a most significant contribution." As in 1956, the Israeli people made Dayan the hero of a national war.

In his role as Defense Minister Dayan worked with the same policies he had used as Chief of Staff, only from the civilian side of the table. He effectively dominated all political decisions associated to the military, but also brought about a high level of co-operation between the Ministry and the Zahal command.³⁸ He attempted as well to revitalize the Ministry itself, by bringing in university graduates. This policy led to the bureaucratization of the defense establishment, and what Abraham Wagner claims was the beginning of a decline in the efficiency of the establishment.³⁹

Another aspect of Dayan's responsibilities was his authority over the West Bank.⁴⁰ Here he stressed a policy of normalization of the movement of people and goods between Israel and the Arabs, and across the Jordan River. His idea was to allow the Arabs as much control over themselves as possible, with security being the only area strictly controlled by Israel. His goal was to ensure that no artificial barriers be built to Jewish-Arab interplay, thus allowing an understanding between the two sides to develop. This in turn was to blur the Arab identification to other Arabs, and thus make the whole region more susceptible to peace. Dayan

was not politically successful in Israel in pursuing many of his plans towards this goal. The most important of these plans, to increase by one hundred percent the expenditures for the West Bank was rejected by Cabinet. Further to this, the fears of mixing one million Arabs with the half million already in Israel made other proposals untenable. However, Dayan's stature was not diminished due to these setbacks.

The emphasis on Dayan's role must not lead to the exclusion of other personalities. Eshkol continued as Prime Minister until his death in 1969, although in a politically weaker position. He had been forced to give Dayan the Defense Minister position prior to the war, and, as a result, was bound to accept many of Dayan's policies and ideas.⁴¹ Upon Eshkol's death, Golda Meir became Prime Minister. There are three major facets concerning the military to consider during her administration before the Yom Kippur War.

The first of these is the War of Attrition, during 1969-1970. This was of continuous small scale fighting across the Suez Canal and in the Golan Heights took over seven hundred Israeli lives. Nonetheless, Dayan and his colleagues held firm in their approach. They continued retaliatory strikes, under the belief, what at that time proved correct, that the country was secure. This policy was generally well supported by the populace.⁴² The maintenance of the defense question in the forefront of Israel's daily affairs had the side effect of maintaining and possibly increasing Dayan's strength.⁴³

Dayan's influence with Meir, however, was not to remain at the same level it had been with Eshkol. Meir, shortly after her appointment, ended the decision making abilities of the Ministerial Committee on Defense, replacing it with her famous 'Kitchen Cabinet'. The four major members of this were Meir, Dayan, Yisrael Galili, and Yigal Allon, a former Palmach officer, who was then Deputy Prime Minister. Galili was a Minister Without Portfolio, but was very highly regarded by Meir, and became, according to Abraham Wagner, her chief advisor.⁴⁴ Dayan however, did not at any time slip below her second ranked advisor, still a powerful position. Other leading

figures, such as Abba Eban and Zahal commanders were called in from time to time, as the situation warranted.

The third area of concern under Meir involves shifts in Israel's military policy. There are two aspects to consider here. The first concerns the idea of a normalization of Israeli society.⁴⁵ The approach was a military degarrisonization of the state, limiting the military expenditures to a more manageable level, and decreasing the military security emphasis, particularly after the War of Attrition. As mentioned before, the defense establishment laboured under the belief that the nation was secure, and so this policy became viable. Unfortunately, this relaxation of military emphasis also crept into the military proper, and the intelligence service, which proved to be very costly indeed. The second area of policy shift concerned the strategy of first strike. In 1967, Israel won a smashing victory because of a perfect first strike. But she had not won any points in the foreign affairs game. Labouring under this same belief that the state was secure, the civilian government decided against any possibility of a first strike. This was in the hope that, should war erupt, the Arabs would be clearly seen as the aggressors, and Israel would gain in foreign opinion. This change in strategy, however, was not effective. No significant gains, if any, were made in foreign opinion, possibly, although in no way solely, due to the new use of oil as a political weapon against Israel's supporters, and the country lost many lives, perhaps unnecessarily in the Yom Kippur War.⁴⁶

1973-...

The post 1973 period has been quite different from the post 1967 period. Although Israel did not lose the Yom Kippur War, the length of time needed to fight it, and the over 2000 dead, make it difficult to claim unqualified victory. The war shocked the Israeli defense establishment out of its complacency, costing many of them their jobs and influence. In fact, it shocked the entire nation out of its complacency on the security situation.

Immediately after the war, the government created the Agranat Commission, under the Chief Justice of the Supreme Court. Its mandate was to determine the reasons for Israel's failures in the war. A preliminary report in 1974 blamed the military and intelligence for failing to recognize and state conclusively the danger of war. It blamed them for being too sure of the ability of the Israeli Defense Force to meet Arab attacks without reservist support. As well, a number of other items were listed in the preliminary report.⁴⁷ There was no political blame placed by the Commission, under the assumption that this would be resolved within the political arena.

As a result of this report, major defense figures lost their jobs.⁴⁸ The Chief of Staff, David Elazar resigned, as did the head of intelligence. Several other high ranking officers were replaced. On the political side, Dayan had lost much of his prestige and impact, and was left out of the Cabinet in the coalition government formed in 1974. Meir and her party managed to win the election of that year, but were not on stable ground. The political infighting after her retirement between Peres and Rabin for the leadership split the party. In 1977, despite the heroics of the Sahal at Entebbe which were mentioned earlier, the Labour party lost the election to the Likud bloc, under Menachim Begin. Labour, in the end, never really recovered from the setbacks of the war.

The other side of the military shakeup was that it revitalized the leadership in both the Zahal command and the Government. There were vast increases in government spending, both at home and abroad, on military equipment. New strategies and tactics were developed, and weaponry purchased accordingly. This policy on re-armament has led to a reemphasis on the domestic arms industry, on which Israel depends to achieve its goal of self reliance. Although there are many political problems of a foreign nature involved in the building of her own arms industry, plus monetary problems, Israel has made great steps in this direction.⁴⁹ The most important result though of the combined civilian-military rededication to military

affairs is that Israel is now prepared for war at any time. "Most outside observers believe that their armed forces are more powerful than ever relative to their Arab neighbours." 50

The final factor we will look at in the study of the development of the civilian-military relations in Israel is the future role of army personnel in politics. One view is put forward by Charles Holley:

"The question of personalities, however, must not be inflated out of proportion. The more significant fact is the crest of the wave of political generals appears to have passed with the end of public hero-worship for military figures after 1973. The Israeli senior officer corps today seems to be concentrating more on purely military matters than it has done for ten years or more." 51

While it is certain that those generals still in the military are more militarilly minded than politically compared to those from 1967-1973, it is doubtful if Holley's conclusion is justified by it. The opposing view is described by Gerald Romper.

"Military leaders are likely to be increasingly prominent in Israeli politics, not as revolutionaries, but as Parliamentary leaders. While the founding generation is passing from the scene, forced early retirement of officers provides an alternative source of recruitment. In the aftermath of the Yom Kippur War, military expertise is even more critically needed among Israel's leadership. Moreover, probably more than any other institution in the nation, the armed forces emphasize merit in the selection of leadership, bringing able persons to prominence." 52

The selection of Dayan, Ezer Weizman, the former Air Force Commander in 1967 as Defense Minister, Yigal Allon, and former General Ariel Sharon as Agricultural Minister and man responsible for the settlements in the occupied lands, by Begin to his Cabinet in 1977 indicates the necessity for military expertise in government, as perceived by this civilian Prime Minister. Despite the current peace initiatives, it does not seem probable that this need will diminish in the foreseeable future.

THE NUCLEAR QUESTION

The question of the development of nuclear arms in Israel has

been deliberately left out up to this point. It is an issue made difficult by the secrecy surrounding its growth. This section will not make value judgements on the development by Israel of its nuclear potential. Instead, it will look at how this weapon fits into the overall military strategy, and how it has been controlled to this point.

In 1952, the Israeli Atomic Energy Commission was established, as part of the Ministry of Defense. Its growth was based on the number and quality of Israel's own scientists, and Israel's close co-operation with France, until the latter changed her allegiance to the Arabs. In 1966, the Commission was reorganized, and attached to the Prime Minister's Office, under Levi Eshkol. This ensured that , "...all decisions of importance in the Israeli nuclear establishment are now made by the highest political authority in the country."⁵³ As well, other internal agencies were created to assist in the development of the research necessary for atomic power and weaponry. These agencies again were under the control of either the Prime Minister's Office, or the Defense Ministry. Further, Israel is a member of the International Atomic Energy Agency.

One of the sources of Israel's nuclear development problem is in the area of nuclear desalting of water. In order to best use the water around her, and in fact in the Middle East region, the salt content must be removed. The best process for this is nuclear desalting. But with all other nuclear operations, it is particularly costly. Using basic cost-benefit analysis, nuclear desalting would be unfeasible in Israel.⁵⁴ A United States proposal in 1967 offering aid for a joint Israeli-Egyptian desalting project was unworkable because of the political situation. Thus, the opportunity for regional development was, and continues to be lost. The only other way nuclear desalting in Israel could be feasible is if other political and military reasons make it so. Despite Israel's secrecy, evidence indicates that this has been the case.

The development in secrecy of the nuclear weapons alternative

fits well into Israel's defense philosophies. The two major elements here have been strength and deterrence. Dealing with the deterrence element alone gives ample reason for the secrecy of its development. An important part of deterrence is not only known strength, but unknown strength as well. If the exact nuclear capacity of Israel were known, it is very likely that its deterrent value would be diminished.⁵⁵ This is particularly true since the "discovery" that Israel had prepared bombs during the 1973 war. The number and size of the bombs remained unknown though.⁵⁶ thus a deterrence of uncertainty is created.

The first element of deterrence referred to was strength. The fact that Israel is known to have some nuclear technology is sufficient to add to her overall strength. "The appropriateness of the nuclear deterrent would lie in the fact that, in conjunction with the conventional power of the Israeli army it would effectively deny the Arabs the successful exercise of any type of armed action open to them and would be expected to bring about shortly their complete military immobilization."⁵⁷ In this case, the greater the known or suspected nuclear capacity, the greater the deterrent value. One thing is certain, the Arabs could never attempt an attack to actually destroy Israel without being destroyed themselves.⁵⁸ The determination of Israel to maintain the secrecy surrounding its nuclear developments can be seen in the rejection of foreign aid which would require full disclosures, and her non-acceptance of the Nuclear Non Proliferation Treaty. "That such conditions have been steadily refused is one clear indication of the importance assigned by Israel to keeping the nuclear option unimpaired."⁵⁹

At this point we return to the importance of nuclear desalting. This process also provides the fuel needed for atomic weaponry. The fact that the technology to prepare this fuel has existed in Israel for a long time is fairly well known. One can assume as well that Israel has achieved self sufficiency in the production of this fuel. The bombs already made would seem to indicate that. And, as Fuad Jabber says, "The far reaching military implications

of the self sufficiency and independence in the nuclear field that Israel would thus acquire need no elaboration."⁶⁰

The final technical problem of directing or dropping the bombs, it is very certain, would be of little problem if Israel had for some reason decided to use them. But the political leaders have repeated many times that they would not be the first to use nuclear weapons in the area.

A final reason given for the secrecy of the nuclear development is to avoid a potential arms race. By not knowing the true Israeli strength Arab leaders cannot set goals to pass, and can more easily reduce any political pressure from their own militaries to spend the millions required to 'go nuclear'.

Israel's justification for her nuclear development is twofold. First, is that, "Israel lacks such security guarantees against nuclear threat or attack as those enjoyed by America's European allies in NATO."⁶¹ This final defense factor is, of course, important. The second justification is in terms of relative manpower. Here, it is easily seen, the Israelis cannot compete, and at the extreme, increases in conventional weapons become a burden not an asset. Moïshe Dayan sums it up this way. "Israel has no choice. With our manpower, we cannot physically, financially, or economically go on acquiring more and more tanks and more and more planes. Before long you will have all of us maintaining and oiling the tanks."⁶²

Because of these reasons, which are all reducible to basic security, Israel has opted to go nuclear. The control of this option, as in all other military decisions of such a major level, and as stated before, rests unquestionably with the civilian government. There is no evidence that would suggest otherwise.

CASE STUDY: DECISION FOR WAR- 1967

The aim of this section is to determine how and by whom the decision to go to war was made. In doing so, we will not look at the details of all the events leading to war, but at the trends that developed in the pre-war period.

First, a brief look at the objectives of the military and the government in 1967 will be taken. Abraham Wagner, in his book on decision making before the war describes six such objectives.⁶³

They are:

- (1) To end the imminent threat of Arab invasion;
- (2) To end the blockade of the Straits of Tiran;
- (3) To end as much as possible the Arab terrorist raids;
- (4) To secure Israel's borders, which includes the recognition of her right to exist, and the amelioration of her untenable geo-political situation;
- (5) To destroy as many Arab arms as possible;
- (6) A qualified objective to occupy enemy territory, which may have become an objective only after the war was under way.

To satisfy these objectives, there existed two possible alternatives, plus two untenable alternatives, maintaining the status quo, and limited strikes on Arab territories.⁶⁴ The latter two need no elaboration here, as neither were considered. Of the two possible alternatives, the use of diplomacy was attempted first. Abba Eban was the most vigorous promoter of this choice. It gradually fell into disfavour, however. The full withdrawal of UNEF from the Sinai was proof of the ineffectiveness of the United Nations. The United States asked for time to allow the situation to diffuse itself, with President Johnson pledging to open the Straits of Tiran. But little positive action was taken by the United States, and an old axiom took the feelings of most Israeli leaders, "When the going gets tough... Israel has no friends other than world Jewry."⁶⁵ By May 20, the military was actively lobbying for concrete actions to be taken, not merely diplomatic undertakings that were not succeeding. The newspapers and many politicians were in agreement.

The second viable option was to enact a pre-emptive strike, a limited war on Israel's own terms. Such an effort, if successful would have brought the war over Arab territory, thereby minimizing the probable costs to Israel in terms of casualties, material arms, and damage to the land itself. In terms of political costs, one observer put it this way. "How bad can the repercussions be? If we win, we will rebuild friendships. If we lose by waiting and listening to our friends, what good is it?"⁶⁶ It is clear that

the military, media, and public opinion supported such an approach. The roadblock to it was in the Cabinet, which was not, as a group, prepared to authorize a war as early as May 20 and 21. The movement to change this fact was embodied in the drive by opposition political leaders to have Moïshe Dayan take over as Defense Minister from Prime Minister Eshkol, who held both posts.

Opposition party leaders demanded a national unity government to cope with the developing crisis. As well, many members of the existing coalition, most notably the National Religious Party, wanted the coalition broadened. For participating in this scheme, which was organized primarily by Shimon Peres, a member of the Rafi Party of Ben-Gurion at that time, and by Menachim Begin, most parties demanded Cabinet posts for their leaders, and the post of Minister of Defense for Dayan. The NRP demanded the latter as a requirement for them to remain in the existing coalition, an unprecedented move on their part. These pressures were placed on Eshkol with the full knowledge that Dayan was one of the leading hawks in the nation, and supported the first strike option. On May 22, Nasser announced the closing of the Straits of Tiran to all Israeli bound cargo. This act was always considered, as stated previously, a 'causus belli' in Israel. Eshkol replied verbally to the development, but no action was initiated. By May 26, the Eshkol government was still indecisive as to its approach. It was maintaining what Wagner describes as a "not yet war" position, which effectively meant they were doing nothing.⁶⁷ Eban was attempting diplomatic moves in Washington which proved fruitless. At the same time, the military was becoming further distressed by Arab troop movements and statements. On May 27 a meeting of the Cabinet ended deadlocked at nine to nine on the issue of going to war. Eshkol's critics claimed he had failed to realize and convince his Cabinet of the severity of the situation, and had to give up the defense portfolio as a result. The strength of the Dayan movement grew with each day, as the government remained indecisive, and public and military morale dipped. A split within Eshkol's own Mapai party became evident, and grew in size.

On May 30, the final cause for Israel to go to war was provided by Nasser and King Hussein. They made a public declaration of support for each other, and signed a defense treaty placing Jordanian forces under Egyptian command. The effect of this in Israel was definitive. Eshkol could not reach a compromise with opposition groups on a coalition cabinet. The price for opposition participation was clear. Not only did they want a voice in the crisis affairs, they also wanted to have full confidence in the man who would be the highest civilian defense authority, i.e. Dayan. On June 1, a meeting of the Mapai party went against Eshkol and his leading supporter, Meir, and voted to have Moishe Dayan become Minister of Defense. That evening, the new coalition National Unity Government was formed.

The decision of the party and the opposition parties to accept the coalition was the de facto vote to accept the first strike option.⁶⁸ The appointment of Dayan lifted the military and public morale, and within five days the option was effectuated.

What is clear in this series of events is that the decision to go to war was fought out and made in the civilian arena. The military used its influence in attempts to achieve that goal, which fits validly into the scheme drawn earlier, where the Zahal command was recognized as an important political source. But the final decision, as Perlmutter,⁶⁹ Brecher,⁷⁰ and Wagner,⁷¹ point out, was in the hands of the civilian authorities.

"During all this time (May 15-June 15) the army- Zahal- and the General Staff made no move to challenge the Cabinet, but put pressure on the Prime Minister to act. The Chief of Staff, General Yitzhak Rabin called for general mobilization. Throughout the crisis, he and the General Staff acted on authority and in consultation with the Cabinet ...only when General Dayan was appointed Defense Minister was the pressure relieved. Dayan announced that he saw his role as that of highest civilian authority, and would act accordingly." ⁷²

The results of the decision making process need only a token reiteration. "At precisely 0745 Israel time on the morning of June 5, 1967, simultaneous air strikes by the Israeli Air Force were directed against ten Egyptian airfields...Within two hours, the entire Egyptian Air Force had been effectively eliminated, and the Six Day

War had been basically won."⁷³

CASE STUDY: DECISION FOR WAR- 1973

In his excellent work on crisis decision making in Israel, Abraham Wagner divides the decision making environment into two categories, the operational and psychological environments.⁷⁴ Elements of both are part of every decision taken. In 1967, the operational environment seemed to dominate the psychological one in the process. The political, military, economic, and geo-political situations were preeminent in the objectives stated in the study of the decision making in 1967. Elements of the psychological environment, such as who decides, the perceptions of reality, and the projection of the future, were more or less determined by the operational environment. Differences in perception were primarily seen in different approaches to how fast Israel should act, not if she should act.

In 1973, the opposite situation arose. The decision making process was dominated by the psychological environment. Operational characteristics were fit into this category. Amos Perlmutter, in a retrospective article on the decision making process in 1973 describes some of the misperceptions of reality held by the defense establishment.⁷⁵ These include misperceptions of the Israeli deterrence power, due to a gross miscalculation of what can be termed "unacceptable damage" which the Arabs were in fact willing to accept. When the time for active military deterrence came, the government, in effect, did not respond. Another gross misperception was in the area of predicting Arab intentions, which can be tied to the one above as well. Israel maintained the view that the Arabs were not prepared politically to go to war. A second aspect of this was the misbelief that the Arabs could not act in a unified manner. Hence, scenarios developed were not in line with the realities of the day. Another factor was the errant view that the super power detente would ensure a non war state of affairs in the Middle East. This reliance on the United States obviously proved false. A possible

factor here, as mentioned earlier, was the Arab use of the oil weapon. Further misperceptions of reality include the absolute ability of the standing army to resist attack, the second strike capacity, and the value of foreign affairs. A final misperception, in the operational field, was the military degarrisonization discussed earlier in this paper. How these factors were important to the decision making process will be examined now.

The short decision making period must be fit into the time period as described in an earlier section. Israel was still enveloped in a sense of security that promoted their strength and the suspected Arab weaknesses. The economy was growing well, tourism was high, morale was superb. The major problem occupying the Israeli leadership was the closing in Austria of half way stations for Russian immigrants. On Oct. 2, four days before the war, Mrs. Meir was in Austria discussing the situation. At the same time, Egypt mobilized its army. Such mobilizations had occurred often in the past few years, and were regarded as part of Egypt's normal course of events. It was fit into the idea that war would not occur.

By Oct. 4, the information being received from Israeli intelligence was still being viewed as nothing unusual. It was presented to the 'Kitchen Cabinet', Meir, Dayan, Galili, and Allon, who all agreed as did Chief of Staff Elazar, that war was not imminent. A Cabinet meeting was held on that day to discuss the immigrant problem. Mention of the military developments were made, but it was generally not felt to be of importance.⁷⁶ Intelligence information was fit into the perception of reality held by the military and civilian leadership. On Oct. 5, a Kitchen Cabinet meeting attended by Elazar and the head of intelligence came to the same conclusion. This was despite what Dayan called serious information, which he had confirmed, that war would break out the following day at 6 P.M.. The standing army was alerted, but no mobilization was called. The civilian leadership was still not convinced that war would be initiated by the Arabs. American intelligence sources came to the same conclusion. A full mobilization, it was felt, would have unduly alarmed the nation on the eve of Yom Kippur, the holiest of days in the Jewish year.⁷⁷

One day before the war, the Israeli misperceptions continued.

On Oct. 6, Yom Kippur, Meir was informed by Elazar at 4 A.M. that he had received positive intelligence that war would break out at 6 P.M. that evening. An 8 A.M. meeting of the Kitchen Cabinet was called, where the notion of a pre-emptive strike was raised. For reasons which will be looked at shortly, it was rejected. The decision to mobilize the reserve army was made, and a full Cabinet meeting called for that morning to discuss the situation. The lack of conviction of the leadership in the inevitability of war is seen in the lackadaisical manner in which the meeting was arranged, with several ministers not being informed of its agenda, and some not of the meeting itself. It was during this session, when many members still did not accept the possibility of a full scale Arab attack that it in fact came, at 2 P.M.. The Cabinet spent the next several days in almost permanent session to deal with the war they did not believe would happen.⁷⁸

Of the alternatives available to them, the Israeli leadership chose to maintain, until it was in fact too late, the status quo. The refusal to mobilize was due to the possible psychological and economic disruptions that could have occurred if no invasion materialized. The third option of a pre-emptive strike was rejected due to political reasons, and a failure to recognize the situation for what it was. Meir opposed this option on the basis of the possible political repercussions. She did not want Israel labelled as the aggressor. In this case, little publicity had been given to the Arab manoeuvres, and there was no international recognition of the possibility of war, as there had been in 1967. Mrs. Meir did not want to risk the possible affects in foreign opinion of starting a war under these circumstances, and in effect, vetoed the idea. "This time it has to be crystal clear who began, so we won't have to go around the world convincing people our cause is just."⁷⁹ In this instance, political considerations were placed well above military ones. Two other reasons, both of lesser significance than the one above, for this decision, were the belief in Israel's second strike

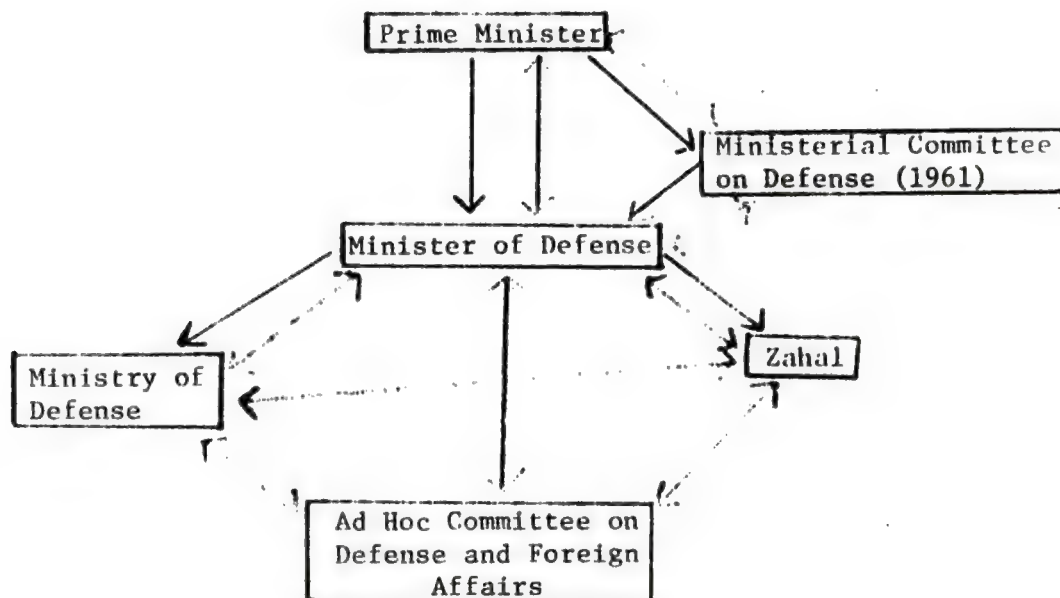
capacity, and the persistent belief of many that war would not break out.⁸⁰

Naturally, there are many details that have not been mentioned. For the most part though, they can be fit into this pattern of misperceptions held in common by the leadership. The result of these prevailing beliefs in Israel was the political decision by the "Kitchen Cabinet" not to go to war. The decision to do so was thereby left to the Arabs.

CONCLUDING REMARKS:

The goal of this paper has been to examine the development of the civilian-military relationship in Israel. It is certain that from the first days of nationhood, this relationship was one of full military subordination to the civilian government, along the lines of the concepts put forward by David Ben-Gurion. The rapid formation of the unified army was of primary importance in this. "The lesson of Israeli nation building is that the army was nationalized and depoliticized as fast as possible, thus not allowing it to become a political instrument, represent special interests, or have ambitious political leaders."⁸¹ While this conclusion on ambitious political leaders may be somewhat overstated, there is considerable truth in it, and his other two conclusions would be hard to dispute. There is no evidence to suggest that any political pressure applied by the military was for anything but the best interests of the nation, as viewed by the Zahal command. The subordination of the military was, I believe, amply shown in the two case studies presented. The strictly controlled development of the civilian-military relationship in Israel, based on the firm belief in the supremacy of the civilian, could hardly have produced a different result.

The Military Establishment Structure:



- The blue arrows indicate the direction of final authority
- The red arrows indicate the flows of information

Footnotes

1. A more detailed look at these groups can be found in Amos Perlmutter, Military and Politics in Israel, (Frank Cass and Co. Ltd., 1969 London), pp. 3-13.
As well, much of the following information comes from the same source, pp. 13-48.
2. Ibid, pp.29
3. Ibid, pp. 36
4. Ibid, pp. 65
5. Ibid, pp 54-55
6. Ibid, pp. 124
7. Yigal Allon, "Israel: The case for Defensible Borders", Foreign Affairs, Vol. 55, No. 1, Oct. '76.
8. Perlmutter, op. cit., pp. 61
9. Ibid, pp. 75
10. David Ben-Gurion, quoted in Perlmutter, Ibid, pp. 66
11. Ibid, pp. 71-72
12. Zahal Weekly, quoted in Perlmutter, Ibid, pp. 70
13. Time, July 12, 1976.
14. Gerald Romper, "Ambition in Israel: A Comparative Extension of theory and Data.", The Western Political Quarterly, Vol. XXVIII, No. 4. Dec. 1975, pp. 731.
15. Perlmutter, op. cit., pp. 73
16. Ibid, pp. 71
17. Ibid, pp. 74
18. Ibid, pp. 92-94
19. Ibid, pp. 57
20. Michael Brecher, The Foreign Policy System of Israel, (Yale University Press, New Haven, 1972), pp. 135.
21. Ibid, pp. 137

22. Ibid, 213-215
23. Perlmutter, op. cit., pp. 58
24. A detailed description of the co-operation between Dayan and Peres is in Perlmutter, op. cit., pp. 85-87.
25. Ibid, pp. 85-90
26. Brecher, op. cit., pp. 135
27. Perlmutter, op. cit., pp. 121
28. Ibid, pp. 97
29. Ibid, pp. 82
30. Fuad Jabber, Israel and Nuclear Weapons, (Chatto & Windus, London, 1971), pp. 101-106.
31. Perlmutter, op. cit., pp. 121
32. Jabber, op. cit., pp. 101
33. Shimon Peres, quoted in Abraham Wagner, Crisis Decision Making: Israel's Experience in 1967 and 1973, (Praeger Publishers, New York, 1974), pp. 59
34. Jabber, op. cit., pp. 118
35. See Wagner, op. cit., pp. 33 and 141-142 for more on this.
36. Ibid, pp. 142
37. Perlmutter, op. cit., pp. 112
38. Ibid, pp. 114
39. Wagner, op. cit., pp. 144
40. A full look at Dayan's role in governing the West Bank is found in Shabtai Teveth, Moishe Dayan, (Weidenfeld and Nicolson, London, 1972), pp. 341-359.
41. Perlmutter, op. cit., pp. 113
42. Wagner, op. cit., pp. 142-43
43. Teveth, op. cit., pp. 351
44. Wagner, op. cit., pp. 145

45. See Amos Perlmutter, "Israel's Fourth War, October 1973: Political And Military Misperceptions", in Orbis, Vol. XIX, Summer 1975 for more on this.
46. Wagner, op. cit., pp. 149
47. See the New York Times, April 3 & 4, 1974, for more on the preliminary report of the Agranat Commission.
48. Much of the information on the effects of the Agranat report comes from Charles Holley, "Israel After Agranat", in The Middle East, Sept, 1977, pp. 25-32.
49. Ibid, pp. 29
50. Ibid, pp. 25
51. Ibid, pp. 27
52. Romper, op, cit., (Footnote 14), pp. 731
53. Jabber, op. cit., pp. 48
54. Ibid, pp. 63
55. Ibid, pp. 53
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SOUTH AFRICA: A DUAL APPROACH
TOWARDS A PACIFIC SETTLEMENT
OF THE RACIAL CONFLICT

BERNARD NZO-NGUTY

INTRODUCTION

South Africa's external relations since World War II have developed on the basis of an interaction between external and internal factors. The external factors have included the heightened consciousness, particularly in the Western World (and reflected in the United Nations Charter), of human rights as an issue affecting international relations or diplomacy; the anticolonial movement, particularly as expressed in the achievement of independence throughout Africa; and the "cold war" conflict between the Western and Communist powers based on ideological rivalry - capitalism vs. communism.

The inability of South Africa's internal political system to adapt adequately to these far-reaching changes in the post-war world caused a progressive deterioration in its external relations, resulting in increasing international isolation on a political level and most likely (if no reasonable changes are realized in the nearest future) on the economic level as well. The intimate link in South

Africa's case between external relations and internal domestic policies is obvious, but what is not always appreciated is the important role of external factors in a rapidly changing world, bringing the international racial situation into the international arena. The basic internal racial features of the country, including discrimination in policy and social custom, denial of political rights to blacks, and economic exploitation, date back to colonial times.

The political, economic and social discrimination embodied in legislation (which provides the ground for the most serious criticism of the South African system) did not begin with the advent to power of the National Party government in 1948, although it has been greatly deepened since then. Rather, the basic internal political problems, as well as the moral issues involved, have existed since the South African Union was founded in 1910, but external factors have increasingly impinged in recent decades, affecting the attitudes and policies of other countries toward South Africa, as well as the attitudes of blacks and whites within the country.

In recent years, the South African government has attempted to cope with the changing external environment through its "Separate Development" and "outward" policies which were aimed at breaking out of the threatening isolation and establishing new links for South Africa, not only in Africa, but in other regions of the world. These policies were initiated in the mid 1960's, in reaction to the increased pressures which built up after 1960. These were a result of the interaction of internal disturbances (Sharpeville) in 1960 and dramatic external changes occurring at the same time - the nationalist movements for political independence in Africa, which reached its peak in the early 1960's.

With specific reference to Africa, the policy of "dialogue"

with the countries of black Africa was developed in the late 1960's and early 1970's, and it enjoyed some limited success. Previously, the government's main concern had been its relations with the Western world, rather than with Africa, and earlier attempts to develop relations with other African states were intended more as a means of improving its image overseas than of dealing with Africa for its own sake.

However, a sense of urgency was still lacking in these policies, and they did not appear to take realistically into account the increasing critical issues close to home: that is, the issues dividing South Africa from the rest of the continent - the conflict in the Portuguese territories; the Rhodesian dispute; the South West Africa (Namibia) issue and the racial situation within South Africa itself.

Although there were many important links between the countries of the region, dating from colonial times, and potential advantages in closer co-operation for mutual benefit, the centrifugal forces were in fact growing stronger, as a result of these unresolved political disputes. Paradoxically, the sudden collapse of Portuguese authority halted this centrifugal trend, at least temporary, and forced South Africa, as well as other neighbouring countries, to give immediate and serious attention to the problems within the region.

In this light, this paper is intended to examine critically the ways and means by which the South African government has been pursuing its dual policy of "Separate Development" and "Outward policy" in an attempt to solve the escalating racial conflict between the "Whites" and the "Blacks" in South Africa. The question involved in this study is to assess whether or not these policies have, as their terminal objective, the attainment of peace through negotiations or by war.

For a thorough insight of the roots of the conflict and what the obvious consequences have been, and which may become too dangerous in the nearest future, I have attempted to examine in Section I the theoretical concepts of diplomacy as an instrument for achieving peaceful negotiations of disputes in international political systems. The characteristics of each of the systems discussed are briefly identified.

In Section II, I have briefly analyzed the origin of the South African racist regime and its relationship with the other neighbouring countries (constituting the Southern Africa region) during the colonial and post-independence periods. Furthermore, the rationale of the "Separate Development" and "Outward Policies" are carefully and judiciously examined in order to bring to light their goals and objectives which, according to my opinion, are quite far from bringing about a peaceful solution to the present state of affairs.

Section III deals mainly with the South African government's relationship vis-a-vis national and international institutions based on the struggle for the eradication of the former's structural design of "apartheid" as a key feature of its political system. A progressive of sequential review is made to indicate the trend of events in this region. What comes to mind here is a simple question: what will happen in South Africa if the various sanctions intended for use against the regime are either extended or not executed at all? Shall there be peace or war?

Finally, I have concluded this short analysis by reflecting on those experiences mankind has learnt from history about political regimes or systems which reigned a few centuries ago (and even in our present century) but ended up in a catastrophic deadlock in the course of the natural turn of events beyond human control. The idea

behind all these human limitations and of aggressiveness, which emanates from our biological make-up, also teaches us about the doctrine of the "Divine Will of the Supreme Being" which mankind, regrettably, has refused to acknowledge as a rule for mutual co-existence between all human races in the universe.

The refusal by the "Whites" to recognize the "Blacks" as equals, and as an "act" of God's creatures will be looked upon in the next decades as the greatest mistake mankind has ever made on earth.

Section 1 - Theoretical Concepts of Diplomacy in Political Systems

(i) Historical Perspective

In both popular and academic usage, the term "diplomacy" or "international relations" communicates several meanings but the most common reference is to the affairs between the governments of sovereign independent states. Regularly used as synonyms under this meaning are international politics, World affairs, foreign relations, external affairs, World politics, international affairs etc. In this paper, the term diplomacy and international relations will be used interchangeably.

Some people think of diplomacy or international relations as a strictly political intergovernmental phenomena, while others conceive an inclusion of cross-national relationships between individuals, private groups and non-public organizations, as well as those of government bodies. The former has been called "inter-state orientation" and the latter an "inter-social orientation".¹

Semantic confusion arises readily from differences in fundamental perspective on the subject. Because no general theory has appeared and gained widespread acceptance around the globe, multiple conceptions and definitions co-exist; awareness of this fact remains the best protection of students in this field of study against semantic confusion.

The concept of the "international system" gained currency during the 60's. One of its several advantages is the basic requirement that the system analyst specify the components and relationship of whatever system is conceived and investigated in any case study. Thus, the system approach gives some promise of classifying definitions and terms of reference and, at the same time, permitting many conceptions of the basic nature of international relations.

Since the beginnings of recorded history, interest in the conditions in foreign lands and in the relations between peoples have attracted both description and critical analysis. Ancient writing from China, India, the Mediterranean region, and the lower-valley civilizations of western Asia contains many references and passages to what, today, would be called the element of international relations or diplomacy.

Certain recurring themes have been observed in these treatments of conditions and relationships of countries from ancient times to the present. Description of international events, especially those of wars and conquest, rendered in chronological narrative form, constitute a major source of knowledge of what happened between nations and states in history.

A second theme is reflected in rich and varied analyses of statecraft by writers who have sought to explain how rulers should conduct affairs in dealing with other rulers and with subjects under their control, both at home and abroad. Furthermore, a third pre-occupation has been with the collecting and interpreting of rules of legitimate conduct in the transaction between states - developing a corpus of international law.

Finally, a fourth theme illuminates the constant problem of attaining peace and security through the unity and collaboration of all mankind. In this paper, I will be combining both the third and fourth theme as my main areas of analysis.

(ii) Types of International Systems

No single type of international relations has prevailed across centuries of world history. Nevertheless, writers and commentators

have had a perennial tendency to assume that the particular ordering of relations between states and between peoples familiar to them at their own time and place in history has been universal.

The Latvian-born American historian Adda Bozeman, has performed a great service to the contemporary generation of international relation scholars by piecing together the fragments of historical evidence that indicate that many different arrangements have existed in the past.²

This fact had been all by forgotten during some 400 years of "Europeanization" of the globe. If the fact that endless variations and differences have existed is kept in mind, a few broad and prevalent types of international structures are worth noting. They serve, at least, as a reminder that the contemporary ordering of international relations has not always existed and, in all likelihood, will give way eventually to different structures.

The three main systems are:

(a) The Imperial System

Typically, this system is based on a sustained military campaign and would subjugate numerous communities and peoples and place them all momentarily under a centralized military control. The Persian empire and that forged by Alexander the Great, had this character. The conquests of Muslim armies as they marched from the Arabian peninsula to Spain in the 8th century and the Mughal conquest in India in the 16th and 17th century constitute further examples.

The imperial regime might stabilize itself sufficiently to establish bureaucratic management for tax collection and manpower levies in the central territories and to install a hierarchical international system with states on the borders paying homage and tribute to the emperor. A theory of rights and obligations between overlord and subordinates sometimes would help to strengthen the hierarchical pattern, as it had in many periodicals in ancient China and in medieval Europe.³

An obvious outcome is the collapse of imperial unity and the rise of competing and warring states led by lieutenants

of the original conquering emperor, as it happened in the Alexandrian empire. A multistate system of competing powers thus would emerge from the dissolution of an empire.

(b) The Commercial City-State System

Just as empire building by military conquest produced several historically prominent kinds of international relations structures in the aftermath, so also the expansionism of trading cities created, historically, a different set of international-system type. In early times, city-states tended to grow up in geographical locations that were exchange points in long-distance trading. Where specialized manufacturing and commerce developed in ancient, medieval and early modern times, international political systems also would often emerge.

Political power and security concerns commonly extended in two directions. Occupying relatively small territories, the trading city-states had cause to worry about their "hinterlands" and about physical and political control over the access routes to and from their centers. An active internal politics generally emerged, taking the familiar forms of diplomacy, rule-making, treaties, alliance building, negotiations, balance of power calculations, and warfare.

Territorial expansion characteristically had to do with competition over ownership and control in the hinterlands adjacent to the cities. One example among many was the diplomatic and military activity that the Venetian trading enterprises of the late Middle Ages devoted to the safe-guarding of the immediate land and sea approaches to the city-state.

A second involvement of the trading City-states related to colonization. As long-distance trading networks grew, the outposts and market-places far removed from the home cities became important. Here, colonies were formed and populated by City-state migrants and became extensions of the home cities. The evolution of international systems with foundation in trading activities tended to become complex.

Complicated structure incorporating co-operative as well as conflictual practices grew up in the relations between City-states and in the territories adjacent to them and in their colonial extensions.

Sometimes, the "classical" form of the state system emerges featuring the power politics of diplomatic calculations and military sanctions among states having roughly equal resources, population and organization.

A relatively non-hierarchical structure generally emerged, and diplomatic practice among "sovereign equals" ordinarily was altered to compromise and accommodation. Nevertheless, the state of peace frequently was broken by the outbreak of war. The system of international relations of the ancient Greek City-states and the Italian City-states of the Renaissance period are cited frequently as examples of the classical model.

Although it is helpful to separate different structural types of international relationships according to their genesis in conquest-based empires or in long-distance trading systems, it is important to stress again that these types most often have been mixed together in history.⁴ The Roman Empire, for example, when viewed from the angle of the territorial expansion of the Republic and early empire, provides an excellent illustration of the conquest state that achieved effective bureaucratic control over a large territory for a period of several centuries.

When viewed in the perspective of the far-flung trading network that carried in its wake a system of administrative, legal, and political regulation over many peoples, the Roman Empire appears as a structure of some "30 important trading centers engaged in vigorous commercial activities."⁵

(c) The Modern State System

When the consolidation of territorial states began in earnest in Western Europe in the 13th and 14th centuries, the multi-purpose character of the ancient Roman example was often held up as the ideal. Since 1648, the time of the signing of the Peace Treaty of Westphalia that brought the thirty years war to an end, the Western State system has had an unbroken succession, according to the commonplace interpretation of diplomatic historians.

In theory, the modern state system is an association among sovereign and equal powers governed both by the separate interests

of its individual members and by the rules of international law and served by regularized procedures of diplomacy. The basic concept of the modern state system much resembles that of the commerce-based international political structures of the city-state variety.

On the other hand, the building of sovereign states since early modern times has incurred much territorial aggrandizement through the use of armed force and in addition, has spurred a remarkable period of expansionism, primarily through conquest, in all parts of the world beyond Western Europe. For instance, prior to the revolution of 1917, Russian diplomacy was mainly concerned with the building of empires under the reign of King Peter and Queen Catherine.

Britain, France, Germany, Belgium, Portugal and United States at different periods in modern history pursued the policy of expansionism. It was, indeed, the building of overseas empires by these powers of both Western and Eastern Europe that spread the state system to a global basis by the end of the 19th century. One finds in the development of the modern state system a merging of most of the functions and characteristics of other known structures of earlier international relations.

The tenacity of this system is shown by the survival of its basic form through several major ideological upheavals, through the transformation of its "actors" from dynastic states to nation states, through a vast increase in world population, through the massive shifts from agrarian to industrial economics, through the extensive popularization of domestic governments through scientific and technological revolutions of great scope, and finally, through the expansion of the system, itself, from one corner of the world in the European peninsula to all lands.

The apparent ultrastability of the state system has led many scholars to conclude that immutable rules, or laws, must govern its operation. From its inception, the state system has been the subject of criticism and discontent. It has been condemned for breeding violence, destruction, and insecurity. It has been planned for the inequalities among societies and for its failure

to provide for fundamental welfare of all peoples.

In the nuclear age, it has been characterized as a system that guarantees the ultimate suicide of mankind. The inability of any nation or group of nations to bring any basic change to the structure of international politics of the state system, despite endless and fervent demands for a better system, further suggests that the system must operate according to underlying principles akin to the laws of nature.

The notion of immutable rules is unacceptable from the historical point of view, however, which holds that the contemporary state systems, like all social creations, is subject to change and must eventually give way to other arrangements arising from human and effort. The notion of immutable rules is incompatible also with the social philosophy that man has the intelligence and capability of guiding his destiny and the foresight to make changes to insure survival and to advance welfare.

(iii) Effects of the Systems

Among the different colonial powers who ventured in the Scramble for Africa during the 16th and 17th centuries, British expansionist policy took a wider dimension. The first permanent British settlement on the African continent was established on James Island in the Gambia River as early as 1661. Sierra Leone was the scene of Sir John Hawkin's successful slave-trading ventures in 1562, but it did not become a British possession until 1787, after which it was used to settle slaves from other British colonies.

The Gold Coast (Ghana) was a further example of 17th century British trading effort, but it did not develop into an administered territory until the 19th century when Nigeria, by various stages, also became British. Whereas the main British interest in these West African territories was in trade, in the southern tip of Africa, it was in settlement, following the acquisition of the Cape in 1806. The interior was opened up by Boer and British pioneers, ultimately under British control.

British administration of what are now Kenya and Uganda, and Tanzania, on the eastern coast, did not begin until the 1880's.

Thus British expansionist motives were various. The commercial motive was undoubtedly the strongest at the start, and it remained important; but as time went on, it was augmented by missionary influence and by strategic considerations.

The changing nature of the relations between the centers of empire and their colonies, under the impact of the unfolding Industrial Revolution, was also reflected in new trends in colonial acquisitions. While in preceding centuries colonies, trading posts, and settlements were in the main, except for South America, located along the coast-line or on smaller islands, the expansions of the late 18th century and especially of the 19th century were distinguished by the spread of the colonizing powers, or of their emigrants into the interior of continents.

Such continental extensions, in general, took one of the two forms or some combination of the two:

- (1) the removal of the indigenous peoples by killing them off or forcing them into penal reserved areas thus providing room for settlers from Western Europe who then developed the agriculture and industry of these lands under the social system imported from the mother countries, or
- (11) the conquest of the indigenous peoples and the transformation of their existing societies to suit the changing needs of the more powerful militarily and technically advanced nations.

At the heart of Western expansionism was the growing disparity in technologies between those of the leading European nations and those of the rest of the world. Differences between the level of technology in Europe and some of the regions on other continents were not especially great in the early part of the 18th century. In fact, some of the crucial technical knowledge used in Europe at the time came originally from Asia.

During the 18th century, however, and at an accelerating pace in the 19th and 20th centuries, the gap between the technologically advanced countries and technologically backward regions

kept on increasing despite the diffusion of modern technology by the colonial powers. The most important aspect of this disparity was the technical superiority of Western armaments, for this superiority enabled the West to impose its will on the much larger colonial populations.

Advances in communication and transportation, notably railroads, also became important tools for consolidating foreign rule over extensive territories. And along with the enormous technical superiority and the colonizing experience itself came important psychological instruments of minority rule by foreigners: racism and arrogance on the part of the colonizers and a resulting spirit of inferiority among the colonized.

For example, in their glory, the colonial powers took delight in the partition of Africa below the Sahara in the Berlin Conference of 1885 in which they sought colonies partly for the sake of the colonies themselves and partly as pawns in the power-play of European nations struggling for World dominance. On the other hand, battles of conquest against African states and tribes and military confrontations among the rival powers themselves were common features.

This process produced, over and above the ravages of colonialism, a wasp's nest of problems that was to plague African nations long after they achieved independence. Boundary lines between colonies were often drawn arbitrarily, with little or no attention to ethnic unity, regional economic ties, tribal migratory patterns, or even natural boundaries.

Today, the rift between Anglophone and Francophone independent African states are all inherited misperceptions of their former colonial masters which have also been intensified by the ideological rivalry between the United States and the Soviet Union. Whereas the latter tends to support the African struggle against all forms of colonialism and imperialism, Britain, France, Portugal (until 1974) and the United States have supported materially and morally, the continuous domination of the White minority illegal regime in Rhodesia (Zimbabwe) and in South Africa.

The reason for this support of these illegal regimes is given as the necessity to prevent the spread of communism in Southern Africa as if the rest of the independent African states are communists, or racism as practiced in the United States, Great Britain, Canada and France are build-in devices against the spread of communism in their capitalist-oriented systems.

Apparently, it is on the basis of this support that the racist White minority regimes in Southern Africa developed their repressive institutions and related politics of apartheid which, apart from being a "unique" system among other repressive systems, dehumanizes the dignity of mankind.

Section II - Evolution of Southern African Internal/External relationships

A. (i) Regional Structure

The term "Southern Africa" as used in this paper and as commonly used, refers to the group of states located in the south region of the continent of Africa. These countries are: Rhodesia, Zambia, Lesotho, Swaziland, South Africa, Malawi, Botswana, South West Africa (Namibia), Mozambique and Angola. Although the last two (Mozambique and Angola) were colonized by Portugal until the dramatic shift in its political system on April 25, 1974, the relationship between South Africa and these countries mounted to buffers, both physical and psychological, against the threat of militant black nationalism.⁶

With the exception of those countries which were under Portuguese rule, the rest were British "Protectorates" or "High Commission Territories" or "Dominion" as defined in the Berlin Conference of 1889. With British military assistance, south Africa succeeded in annexing four self-governing colonies, namely, the Cape of Good Hope, Natal, The Orange Free State and Transvaal.

Consequently, South Africa became a unitary state on May 31, 1910, by an Act passed by the British Parliament in 1909, known

as the "South Africa Act". This Act, as amended, later formed the basis of the Constitution Act of 1961, passed by the South Africa Parliament, and took effect when South Africa became a republic on May 31, 1961. Prior to the annexation of the aforementioned territories which legitimized the "Union of South Africa", Britain also intended to incorporate the "Protectorates" or "High Commission Territories" into this Union but for the opposition of the Africans of these territories, as well as that of radical liberals in Britain.

All the same, British failure in the aforementioned venture did not prevent the government to continue its expansionist policies. South Africa, under British influence and guidance, acquired the vast German colony of South West Africa after World War I. Despite a League of Nations mandate that the territory be administered as a "sacred trust" white settlement was encouraged and subsidized from the outset.

Though almost half the German population was repatriated at the end of the war and the rest were naturalized in 1924, Nazi demands for a return of German colonial possessions had a counterpart in South West Africa in the 1930's, by which time there were about 30,000 whites in the territory, largely from South Africa, and considerable vested interests had grown up, especially in diamond-mining and fishing.

Notwithstanding the almost annual criticisms of the Permanent Mandates Commission of the League at the lack of economic and educational development for Africans and their disquiet at the violent confrontations between the South African government and the Bondelswarts (1922), the Rehoboth community (1924-25), and the Ovambo (1932), the major pre-occupation of the mandatory power was to foster white prosperity, very often at the expense of African tribesman.

(ii) Internal Political Structure

Within the union, between 1910 and 1948, whites were divided by class and by race. Until 1924, the South African Party (SAP) was

in power under the leadership of two successive prime ministers, Louis Botha (1910-19) and Jan Christian Smuts (1919-24), representative of the more successful Afrikaner farmers, and in close alliance from 1914 with the party of big capital, with which it fused in 1920.

Their essential aims were to reconcile the English and Afrikaans-speaking communities, to maintain the imperial connection, and to promote commercial farming and mining interests. This led to an increasingly bitter conflict with the white working class on the Rand as well as with the Afrikaner nationalists, who broke away from the SAP in 1913-14 under the leadership of General J.B.M. Hertzog.

In 1924, a coalition of Hertzog's Nationalists and the predominantly British Labour Party ousted Smuts from power and sought to secure the position of landless and poverty-stricken Afrikaners and urban workers. Between 1924 and 1929 legislation protected white workers from African competition, while the state sponsorship of industrial and agricultural development was accelerated in an attempt to help solve the "poor white" problem. Largely through Hertzog's efforts, the nature of the British Commonwealth connection was redefined in 1929-30 and the concept of dominion independence was fully enunciated.

In 1933, in the face of South Africa's worsening economic position during the great depression and the crisis of confidence surrounding the abandonment of the gold standard, the Afrikaner generals Smuts and Hertzog formed a coalition government, and in 1934 their parties fused as the United Party. The outbreak of World War II destroyed their somewhat precarious consensus. As in World War I, when fierce civil war erupted between the Afrikaners on the issue of South Africa's participation on the British side, Afrikaners again were divided over its contribution to the Allied forces. When South Africa voted by a narrow margin to fight the Germans, Hertzog resigned.

Even before this, in 1934, the more extreme Afrikaner nationalists had left the United Party to form their Purified

Nationalist Party, which aimed at Afrikaner economic advance and ultimately Afrikaner dominance in a republic. Though their electoral support remained relatively small in the 1930's, the Purified Nationalists built up their power struggle through the establishment of extensive welfare and economic subsidiary organizations, directed on the one hand at promoting the interests of the Afrikaner middle class (to which most belonged) and on the other to gaining the support of the Afrikaners in the towns through the provision of cultural, social and trade union organizations outside the predominately English-speaking Labour and Communist parties.

Though Hertzog rejoined the Purified Nationalist Party, the alliance was uneasy, and the history of the Nationalists during the war is a complicated series of manoeuvres by disunited factions. Through the war years, General Smuts, at the time a prominent world statesman and for the second time a member of the British War Cabinet, headed the government and the United Party which was then supported by virtually all English-speaking whites and contained within its ranks both extreme right-wingers and liberals.

The Afrikaner divisions, however, masked the fact that Smuts had lost the support of the group that at the time, made up the clear majority of the South African white population. Since 1948, South Africa has been governed by the National Party, in turn under Daniel F. Malan (1948-1954), J.C. Strydom (1954-1958), H.F. Verwoerd, (1958-1966), and Balthazar, J. Vorster (1966 to date). Composed mainly of Afrikaners, it favoured rigorous apartheid, i.e. racial separation and separate development of racial groups.

(iii) Inter-state Structure

Though the Union of South Africa had by far the most powerful and complex settler policy, in the first half of the 20th. century, settlers acquired firm control over Rhodesia (Zimbabwe) too, while even in Malawi and Zambia, which came under the jurisdiction of the colonial office in 1892 and in 1924, respectively, it

was accepted that white settlers would provide the necessary economic development. Until 1928, Rhodesia was administered by the British South Africa Company. In 1898, a Legislative Council was established, and by World War I, the 25,000 settlers had an elective majority in it.

The colour-blind franchise qualifications, modelled on those of the Cape, were sufficiently high to exclude all but a handful of Africans. When the British South African Company handed over formal responsibility for the territory to the British Crown, the settlers accepted a proposal to join the "Union" in favour of self-government. Again, there was no attempt to include Africans in government; though the constitution provided for an imperial veto over discriminatory legislation; it was never exercised, and complete control of the police and the armed forces was handed over to the minority government.

A number of white political parties flourished with a variety of names between the 1920's and 1950's, but there were two parties of importance: (a) The "Government" Party, closely allied to big business interests, and (b) the "Opposition" Party, more anxious to protect the position of white farmers and workers than African interests. Outside formal politics, farmers, mining companies, and trade unions formed crucial pressure groups. Apart from socio-economic matters, the major issue in the late 1920's and 1930's was over relations between the Southern and Northern Rhodesia (now Zambia), where the wealth of the Copperbelt was a considerable attraction.

Across the Zambezi the handful of white settlers were in no better position than those farther south. In Northern Rhodesia, white traders and farmers, largely from South Africa, were granted an advisory council in 1918, but it had very little real power. When, in 1924, the Company withdrew from its administration, the territory was under crown colony rule. Though settler numbers increased to 11,000 by 1930, with the discovery and exploitation of the rich deposits of copper, by this time it had been accepted by the Colonial Office that the territory's development would best be modelled on the principle

of trusteeship enunciated in East Africa in the 1920's, with the objective of an ultimate transfer of power to the indigenous people.

Regardless of the fact that this policy was never unambiguously adhered to in Central Africa, it did defeat various attempts by the whites of Northern Rhodesia in the 1920's and 1930's to amalgamate with Southern Rhodesia in order to bolster their political position and to secure independence from imperial control.

In Malawi too, the principal of the primacy of African political interests, though at times under severe strain, finally prevailed. As early as the 1890's, Sir Harry Johnston, supported by the missionaries, opposed the extension of British South Africa Company rule there; this had led, in 1898, to the separation between the British protectorate and Northeast Zambia, which became part of the company sphere. In the absence of mineral wealth and with its inadequate communications, Malawi had little attraction for a white-settler community. In 1930 there were only 1,500 whites in the territory including a considerable number of missionaries and officials.⁷

The number of settlers in the Portuguese colonies of Angola and Mozambique was roughly comparable with those of Southern Rhodesia. They never achieved comparable political power, but in 1930's both the Portuguese and British governments saw a flurry of activity among political groups, some of them in alliance with the Africans. The intensity of this activity, the greater power in the hands of the colonial governments, and increased demands for African Labour led to their everyday life being more strictly controlled when the authority of designed racist policies especially in Rhodesia and South Africa. It was in view of these events that the "war of liberation from all forms of colonialism and imperialism" receives the blessing of not only the Africans but the majority of the international community as well.⁸

In this light, there is apparently an intimate link between the dual approach of the already mentioned "separate development" and "outward" policies of the South African government vis-a-vis the well known colonial and imperial powers aimed at the creation of a

hierarchy of dependent-interdependent states revolving around the white economy of the racists regimes in Southern Africa. This relationship heightens the optimistic illusions of the racists regimes of a scenario within the region.

B. The Legal Framework of Apartheid

(i) Origin

One of the ministers in the South African government, Dr. C.P. Mulder, Minister of Information, Social Welfare and Pensions, argues that the rationale of "separate development" and "outward policies" is in accordance with both the "wording and the spirit" of the United Nations Charter, when it speaks of the self-determination of peoples in that it requests the identity and dignity of the diverse peoples of the Republic and seeks to lead them each and all to a state which they may competently manage their own affairs.⁹

The minister further claims that the social policy is the only one yet devised which meets the "unique" situation in South Africa based not on ideology but on pragmatism. He further asserts that the policy is accepted everyday by more and more South Africans of all racial groups because it aims at safeguarding the diversity of the national identity of separate nation as free and sovereign states with full independence, namely Zulu, South Sotho, Tswana, North Sotho, Shangaan, Swazi, Vendi and Xhosa - each with a separate culture. Dr. Mulden finally concludes his case study by stating vehemently that the Africans lack leadership qualities.¹⁰

My analysis of his perception (as shared by other racists) is that it implies a perpetual dominance by whites of both political power and economic and social advancements. Secondly, that in the white area, there can be no possible compromise or accommodation with the non-whites. These twin factors - an unshakeable determination to maintain white supremacy and the firm belief that there can be no middle course - leaves no other alternatives to the non-shites than a continuous struggle for liberation through the barrel of a gun.

Perhaps at this stage, it may be important to examine the legality of the policy of apartheid as a process of political socialization and advancement of the dignity of mankind.

(ii) Legal Sanctity

Racial discrimination in modern South Africa is not a system of social conventions and taboos as it was, to a large extent in pre-1948 South Africa. It is a carefully constructed legal order which prescribes in minute detail the discriminatory expectations of the governing white oligarchy. This feature distinguishes South Africa from most other societies in which discriminatory practices are legally prohibited, although socially condoned.

After World War II, South Africa's legislative history of accelerated discrimination and differentiation in race relations stands in sharp contrast to the experience of other states while during the same period have evoked legal processes on both the national and the international plane to prohibit racial discrimination.

Legislative endorsement of racial discrimination substitutes a legal sanction for societal censure in order to coerce those individuals who are unwilling to comply with discriminatory prescriptions and expectations as well as give an aura of respectability and legitimacy to discriminatory practices.

Although the Common Law of South Africa is Roman-Dutch law, the country's guiding legal philosophy is English positivism, which was exported to the Cape after the British annexation of 1806. Legal positivism, which is characterized by the theory of command - viz, that law is simply the command of a political superior to a political inferior - and the insistence on a rigid separation of law and morality, induces unquestioning obedience to Parliament's will and discourages the examination of laws against moral standards.

Failure on the part of White South Africans to question the morality of legislative enactments paradoxically results in the equation of Parliament's will with justice once that will has been constitutionally certified and published at the government's expense in the government's gazette. Thus the government of South Africa has

not hesitated to exploit this deep-rooted respect for the law by regulating racial discrimination by law rather than by social con-
 gention.

Recent studies suggest that the firm adherence to positivism by the German legal profession of the thirties greatly assisted Hitler in the construction of a legal order based on immoral injunctions.¹¹ Institutionally, positivism manifest itself in the doctrine of Parliamentary Sovereignty, according to which Parliament's will is supreme and may not be subjected to judicial review.

This cardinal feature of English Constitutional law was adopted by the "Founding Fathers" of the Union of South Africa in 1910, when the former four British colonies in Southern Africa united under a flexible constitution which might be altered by a single majority vote of those present and voting in both legislative chambers (House of Assembly and the Senate) sitting separately, except where the equal rights of the English and Afrikaan languages and the voting rights of the Cape "Non-Whites" were after.

In the latter cases, constitutional amendment required a two-thirds majority vote of the total number of members of both Houses of Parliament sitting together. No express provision was made for judicial review of legislation and, after the courts had exercised this power in respect of legislative attempts to deprive the Cape Coloured voters of their rights in the fifties,¹² the constitution was amended to exclude the judicial testing right.

The Republic's Constitution of 1961, which, as already explained, is modelled on the Constitution of 1910 initiated and adopted by the British Parliaments, reiterates this point. Section 59 (2) declares that:

"No court of law shall be competent to enquire
 into or to pronounce upon the validity of any
 Act passed by Parliament".

The only exception to this rule concerns the equal languages rights. Here the courts are empowered to enquire whether the correct, special Parliamentary procedure for amending such rights have been followed.

In effect, the provisions reduces the judiciary to a subordinate status in the constitutional structure of South Africa.

The courts have no power to test apartheid legislation against ideal standards of equality resembling those contained in the American Bill of Rights. They are constitutionally denied the power to play the activist, egalitarian role that the American Supreme Court has played in the past twenty years.

(iii) The Law of Apartheid

South African Common Law consists of a blend of principles of Roman-Dutch law, developed by the courts and jurists of the Netherlands during the 17th and 18th centuries, and principles of the English Common Law which have been absorbed into the Roman-Dutch system during its sojourn in South Africa. It does not permit racial discrimination: on the contrary, it places full emphasis on the importance of the equality before the law.

The 'law of apartheid' therefore is not the product of the Common Law, but the creation of a host of legislative enactments, most of which have been passed by the South African Parliament since 1948, when the National Party came into office. The law of apartheid can broadly be divided into two categories: first those laws which prescribe the social, economic and educational status of the individual in society and which give legal endorsement to practices of racial discrimination; secondly, those laws which construct the institutions of separate development and determine the political status of the individual.

Individual political, civil, economic and social rights, are determined by race. Racial grouping is not left to societal determination because this right might allow persons to cross from a less privileged racial group to a more privileged group if their physical appearance permitted it. As a result, an elaborate legislative scheme has been established to identify each person racially.

The central statute is the Population Registration Act of 1950. It provides for the compilation by the Secretary for the Interior of a population register of the entire South African population; which is to reflect the classification of each individual

as a "White person, Coloured person, or a Bantu as the case may be, and every person and every Bantu whose name is so included shall be classifiedaccording to the ethnic or other group to which he belongs".

The Legislature has had considerable difficulty in finding a definition which will defy all attempts to cross the colour line and the definitions of "White", "Coloured" and "Bantu" have frequently been amended. The current definitions, which are based on the three criteria of appearance, social acceptance and descent, are as follows:

"... A White person is one who is in appearance obviously White - and not generally accepted as Coloured - or who is not in appearance obviously Non-White, provided that a person shall not be classified as a White person if one of his natural parents has been classified as a Coloured person or a Bantu; A Bantu is a person who is, or is generally accepted as a member of any aboriginal race or tribe of Africa, and a Coloured person is a person who is not a white person or a Bantu".¹³

The remedy available to aggrieved persons by the classification of the Secretary for the Interior is by lodging an objection with an administrative tribunal - viz, a race classification Board from which a limited appeal lies to the Supreme Court of South Africa.

Thousands of objections have been lodged against the Secretary's classification; particularly by persons classified "Coloured". Statistics, however, cannot capture the misery and human suffering caused by this legislative scheme which sometimes even results in division of families owing to the different classification of members of the same family.¹⁴

Consequently, the racist regime finds itself in absolute confusion and contradiction in the implementation of the said law because it does not effectively prevent the switch-over of people from one race to another as intended in the spirit and letters of the law. For instance, "last year 115 South Africans who sought a change in their racial status were given a new colour classification9 whites were reclassified coloured, 45 coloureds became

whites, 17 blacks were changed to coloured, 16 Indians became coloured, 22 Malays and 3 coloureds were reclassified as Indians." 15

Apparently, the reasonableness of such reclassification within the context of the law leaves much to be desired.

Other Statutes prohibit sexual, residential, social, educational and economic intermingling. Before the National Party came into power in 1948, marriages between persons of different races were very rare but in 1949, the Prohibition of Mixed Marriages Act 1949, was passed forbidding marriages between Whites and Non-whites and rendering marriages entered into in contravention of this law void and of no effect.

It is significant to note that at the time of the introduction of this law in Parliament, the government spokesman justified the Act on the grounds that some 30 of U.S. States retained similar laws. Since then, the U.S. Supreme Court has held such statutes to be unconstitutional, and declared that "the freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men." 16

Furthermore, the Immorality Act of 1957 makes it a criminal offence for a White person to have sexual intercourse with a Non-white person or to commit any "immoral or indecent act" with such a person. The maximum penalty for this offence is 7 years imprisonment and is vigorously enforced regardless of the tremendous increase of culprits.

Housing and residential patterns are regulated by the Group Areas Act of 1950 which eliminates all residential integration. In theory, all racial groups are equally affected by this scheme, but in practice, whites are less affected. By the end of 1968, only 656 white families were disqualified from remaining in their homes in the carved districts, while 58.999 coloured families, 784 Chinese families, 35.172 Indian families, and 25.156 African families have been disqualified. 17

Separate development demands that separate areas be set aside for exclusive occupation by different groups, but does not

prohibit blacks from working in white areas as migrant labourers; the impermanent nature of their sojourn is, however, repeatedly brought home to them by laws which restrict their entrance to white areas, oblige them to account for their presence there and threaten them with arbitrary expulsion.

Two most formidable laws regulating the status of the black man in the white urban areas are the Bantu (Urban areas) Consolidation Act of 1945 as amended, and the Bantu (Abolition of Passes and Co-ordination of Documents) Act 1952. In terms of the former statute, it is an offence - punishable by a fine or imprisonment and repatriation, i.e. deportation to his rural "homeland" - for an African to remain for longer than 72 hours in an urban area, unless he is able to prove that:

- (a) he has resided in such area continuously since birth;
- (b) he has worked continuously in such area for the same employer for ten years;
- (c) he has lawfully resided continuously in such area for at least 15 years and has not been convicted of a serious offence;
- (d) the African is the wife, unmarried daughter, or minor son of a male falling under (a), (b) and (c) above;
- (e) permission to remain has been granted to him by a labour bureau.¹⁸

The same Statute permits an African who is lawfully entitled to reside in an area to be removed by administrative means if he is found to be "idle" (habitually unemployed) or "undesirable" (has previously been convicted of certain offences) or if his presence is seen as "detrimental" to the maintenance of peace and order in any such area. Such a person is then sent back to his "homeland", to a rehabilitation centre or to a work or farm colony for a period not exceeding two years.

Control of the freedom of movement of Africans throughout the Republic is effected by the "pass system". A pass system has been defined as a document "required for lawful movement into, out of, or within a specified area, which must be produced on demand of a specified person, failure of production constituting an offence."¹⁹

The pass laws are of pre-Union vintage and were inherited by the National Party when it came into power.

Racial division is maintained at all levels of education. Separate school was practised long before 1948, but at two of the universities - The Universities of Cape Town and the Witwatersand - there was no racial test for admission. The National Party government has tightened its control over separate educational facilities by removing African schools from provincial control and subjecting them to the control of the central government and by prohibiting Non-whites from studying at "open universities."²⁰ Separate universities now exist for each ethnic group, i.e. Whites, Coloureds, Indians, Xhosas, Zulus and Sothos.

The law of apartheid in the field of labour is the most difficult to describe, as here law and convention are combined to ensure that both the status and the salary of the Non-white remain subordinate to those of his fellow white worker. The most notorious statutes reserving certain jobs for whites are the Bantu Building Workers Act of 1951, and the Mines and Works Act of 1951 which prohibit Africans from performing skilled work in the building trade and on the mines.

Exploitation of the vast black South African Labour pool is illustrated by looking at the wages of blacks relative to those of whites. Figures for the mining and manufacturing industries in 1975, for example, show a wide gap; in mining and manufacturing the average monthly wage for whites was \$868, whereas that for the blacks was \$103.60 - the difference being almost eight times more.²¹

Industrial Conciliation Act of 1956, deprives Africans of the normal bargaining power in industrial relations as a result of the non-recognition of African trade unions and the Bantu Labour (Settlement of Disputes) Act of 1953, Section 18 prohibits their rights to strike.

Probably the crucial blow to the Africans is their inability to own and possess land because of the provisions of a series of legislative enactments. In accordance with the Natives' Land Act of 1913, as annexed by the Natives' Trust and Lands Act

of 1936, about 12-13% of South Africa's territory nominally belongs to its 18.6 million blacks, while 87% is reserved to its 4.3 million whites.²²

The rapid growth of the African population and its stock in the limited reserves, combined with its lack of security in urban areas, made the land question increasingly acute through the 1930's and 1940's. The Residential Group Area Act of 1950 mentioned above merely added insults to injury. Though in 1951 the Native Land Husbandry Act was adopted in an effort to grapple with the problems of overstocking the erosion in the reserves and to implement the necessary agrarian reform, for a variety of reasons, it remains unimplemented.

A. Institutional Apartheid

(i) Origin

At the time of the Union, the four colonies which were to become the four provinces, were divided over the part to be played by the Non-white in the political process. While the Cape favoured a non-racial, qualified franchise based on individual merit, the other three colonies pressed for the total exclusion of the Non-white from the franchise.

The result was a compromise, with each province retaining its pre-Union franchise and the Non-white vote in the Cape protected by an entrenchment procedure which provided that no change might be made to these voting rights without a two-thirds majority vote of both Houses of Parliament sitting together, but only whites could sit in Parliament. In the long run, the northern philosophy prevailed.

In effect, Article 12 of the Representation of the Native Act 1936, removed African voters in the Cape from the Common electoral roll by the required two-thirds majority and placed on a separate roll to elect three white representatives to the House of Assembly. Provision was also made for four white Senators elected by electoral colleges to represent Africans throughout the Union.

Coloureds in the Cape were left in the common roll until the

National Party came to power in 1948 determined to purge all Non-whites from the political process. The National Party was unable to command the necessary two-thirds majority vote and, after its attempts to remove the Coloured voters by a simple majority vote had been ruled unconstitutional by the Appellate Division of the Supreme Court in the case of Harris V. Minister of the Interior, 1952, it enlarged the Senate in order to obtain the required majority. This period in South Africa's political evolution was characterized by constitutional crisis.²³

Nevertheless, Article 9 of South Africa (Amendment) Act of 1956, revalidated the Separate Representation of Voters Act of 1936, and the coloured too were placed on a separate roll to elect four white representatives to the House of Assembly. Apparently, the first decade of the National Party rule was marked by the constitutional struggle over the coloured vote and the construction of an apartheid sovereignty based upon discriminatory measures of the kind described above.

In this light, it could be said that no real effort was made to provide a constitutional framework for the promised vertical separate development although the seed of future developments was entrenched in the Bantu Authorities Act of 1951 which gave its approval to traditional local chiefs as representatives of government authority.

(ii) Political

Legislative implementation of the "Grand Design" of a commonwealth of nations in South Africa was left to Dr. Verwoerd, who became Prime Minister in 1968. The first step was to remove the white representatives of the African people in Parliament and to give legislative approval to the separate homelands policy effected by the promotion of Bantu Self-Government Act of 1959, which declared in its preamble that the Bantu peoples of South Africa do not constitute a homogeneous people, but form eight separate national units on the basis of language and culture.

Thus, the various national units - namely, the Northern Sotho, Southern Sotho, Swazi, Shawgaga - Tsonga, Tswana, Venda, Xhosa and Zulu according to the design, would one day form "self-governing" Bantu national units - indeed a clear example of the colonial strategy of divide and rule.

Meanwhile, the government explained that there was no place for representation in the White Parliament because participation in the government of the guardian territory does not form part of the preparation of the subordinate units for the task of self-government. In this light, the traditional authorities provided for in the Bantu Authorities Act of 1951 as regional and territorial authorities were figure-heads or rather puppets of the regime. This accounts for the fact that only one of the eight Bantu Homelands has so far received the constitutional stamp of "partial" self-government before 1971, i.e. the 'Transkei'.

The purpose of this hurriedly given powers to the Transkei was to impress on the International Court of Justice the sincerity of the government's intentions in respect of separate development during the period of the legal proceedings between South Africa and Ethiopia / Liberia over South West Africa (Namibia) in 1963. The motive of the government could be inferred from the provisions of the Constitutional document of 1963 granting powers of self-government to Transkei. Whereas all attributes of an independent state such as a flag, anthem, official language, legislative Assembly, inferior courts, etc., are placed at the disposal of the local authorities, Transkeian citizens remain South African citizens for external purposes and for the purpose of international law - citizenship being the most important.

Although the Transkeian Legislative Assembly is given wider legislative powers than the provincial councils, it remains firmly subordinate to the Central White Parliament and Government which may legislate at will for the Transkei -and even repeal the whole Transkeian Constitution - and no South African court could question the validity of such enactments by reason of Section 59(2) of the South African Constitution.

More so, the South African Government retains an ultimate veto over legislation because all enactments of the Transkei Legislature require the approval of the Prime Minister of the former government on the advice of his white cabinet. Further limitation on the Assembly's power is its exclusion from its jurisdiction of such vital matters, as defence, military units, foreign affairs, the control of any Republican police force charged with the maintenance of internal security, internal and external communication media.

Notwithstanding the afore-mentioned limitation the Transkeian experiment is cherished with pride by the government and frequently cited as an example of a territory on its way to full independence. If this is so, one is tempted to ask why is it that the past years have seen so little constitutional advancement in the status of the Transkei. If de jure independence, let alone de facto independence, for the Transkei is the government's goal, why is it proceeding at a snail's pace at a time when accelerated decolonization is demanded everywhere?

The pre-occupation of the government with its homelands constitution building has left it little time for the more pressing problem of involving African resident in "White areas" who constitute the majority of the African population in the political process. In theory, it has done so by attaching each urban African to the political development has also been applied to the Coloureds and the Indian peoples, but here matters have been complicated by the absence of Coloured and India territorial homelands. The result is that government legislative policy towards these two groups has been essentially negative. They have been denied participation in central, white political affairs, and in return have been given partly or non-representative Councils with limited powers over their own peoples.

Despite their exclusion from the franchise, Non-whites were permitted until 1968 to join political parties with a multi-racial aim, namely the Liberal Party and the Progressive Party. This enabled Non-whites to participate indirectly in the only

meaningful political process in the Republic by influencing the parliamentary policies of these parties.

However, this practice was brought to an end by the Prohibition of Political Interference Act of 1968, which prohibits racially mixed political parties. The Act distinguishes between the African, White, Coloured and Asian population to one population groups and provides that no person belonging to one population group may be a member of a political party of which a person belonging to another population group is a member, or address a meeting of persons of whom the majority belong to any other population group in order to further the interests of a political party. As a result of this legislation, the Liberal Party voluntarily dissolved and the Progressive Party went White.

In 1948, African popular political opinion was represented by the African National Council (ANC). In the early fifties, it sought to focus attention on the grievances of the African people by organizing a defiance campaign in which Africans were urged to peacefully defy certain discriminatory laws, such as the pass laws. This campaign, led by black revolutionary leaders, was brought to an end by the combined operation of the Suppression of Communism Act of 1950, and the Criminal Law (Amendment) Act of 1953. The former which outlaws the Communist Party, makes it an offence to further the aims of "communism" which inter alia, includes any doctrine which aims at bringing about any political, industrial, social or economic change within the Republic by the promotion of disturbance or disorder, by lawful acts or omissions.

In 1960, another defiance campaign sponsored by the ANC and the Pan-Africanist Congress (PAC) formed in 1959, resulted in the declaration of a state of emergency in conformity with the Public Safety Act of 1953 after the Police had fired on and killed demonstrators at Sharpeville. During this emergency, both the ANC and PAC were outlawed by means of the Unlawful Organizations Act of 1960. Since then, it has been an offence punishable by one to 10 years of imprisonment, for any person to become or continue to be a member of one of these bodies, to take part in any of their

activities, or to perform any act calculated to further the achievements of any of their objectives.

Having been denied the right to open political associations and expression outside the framework of the government's separate development policy, many Africans have either gone underground or fled abroad to continue their struggle. In order to combat these activities the government has introduced repressive security measures unknown to Western systems of jurisprudence. In 1963, the 90-day detention law was introduced empowering a senior police officer to arrest and hold a person for 90 days for the purpose of interrogation in solitary confinement if he was suspected of having information relating to the commission of offences under the Suppression of Communism Act and the Unlawful Organization Act. Habeas Corpus was expressly revoked in this instance.

In 1967, the tradition of the 90-day detention law was reinstated by the Terrorism Act. Section 2 of this Statute provides for the punishment by death or imprisonment (not less than five years) of persons convicted of the crime of terrorism which is constituted inter alia, by any act committed with intent to endanger the maintenance of law and order, where the prosecution can prove that the act, inter alia, was likely to embarrass the administration of the affairs of the state.

Section 6 permits a senior police officer to arrest without warrant any person whom he "has reason to believeis a terrorist or is withholding from the South African police any information relating to terrorist or to offences under this Act" and to detain him indefinitely for the purpose of interrogation. No person other than an official of the State, may have access to such a detainee and "no court of law shall pronounce upon the validity of any action taken under this section, or order the release of any detainee. This statute, like the 90-day detention law, is non-racial in the sense that its operation is de jure not limited to a particular racial group. In practice, however, it has largely been used to suppress black political activities.

(iii) Overview

Apartheid, from the above analysis, is a creature of the law. Conceived in racial prejudice, it is nurtured in the work of Parliament and brought forth in legislative form. It is not merely declaratory of existing social convention, it is often constitutive of new discriminatory practices. The law is indispensable to apartheid as is race prejudice itself. An understanding of the role of the law in South Africa is essential for an understanding of apartheid.

Basically, the law fulfils four functions. First, it constructs a legal order based on racial discrimination and differentiation. Secondly, as has been shown above, by legitimizing discriminatory practices, it neutralizes the immorality of such practices in the eyes of the majority of the White population who accept without question any rule which has been blessed by Parliament. Thirdly, those laws which institutionalize separate development provide a convenient façade for the outside world.

The Promotion of Bantu Self-Government Act, The Transkei Constitution and the Bantu Homelands Constitution Act are useful for foreign consumption as they adopt the rhetoric of self-determination and self-government without disclosing the realities of South African life. Legal tinsel is used to conceal the fact that most of the African population live outside the homelands and cannot, in fact, participate in the homeland political process; that the African people themselves have not been consulted about their future; and that self-determination inside or outside the homelands is meaningless while the harsh security laws remain in force.

Fourthly, the drastic security laws, such as the Suppression of Communism Act, create a repressive atmosphere in which meaningful political debate and activity is stifled. These repressive mechanisms create a permanent emergency "in which it is no longer possible to distinguish between the preservation of order and the preservation of the power of the ruling party and between opposition and subversion".²⁴ Apartheid's legal order, therefore, seems to perpetuate the status quo - white supremacy.

It is in the light of these laws and practices that the South African blacks (including some of the coloureds and whites), member states of the Organization of African Unity and the United Nations Organization have collectively condemned the regime and resolved to put pressures on it to change its present inhuman practices.

Section III - Eradication of Colonialism and Apartheid

A. Internal Measures

(i) National

As already indicated, the continuous operation of the South African system of government under the various political leadership mentioned in Section II of this paper has always been based on its policy of colonialism and racial discrimination of a special magnitude. The continuity of this system of government, even though claimed by its leaders to be legal, has been subjected to numerous criticisms by an overwhelming majority of member states of the international community of nations - more specifically, the Organization of African Unity (OAU) and the United Nations Organization (UNO).

So far, the methods used by some African States to bring about a peaceful settlement of the issue of colonialism and racial discrimination in South Africa have been characterized by political negotiations, guerilla warfare and the threat of the use of conventional military force. Since the first method has not been able to yield the desired results but instead creates disagreement among member states of the O.A.U., there was a common consensus to solicit the co-operation and assistance of the U.N. to impose economic sanctions on the South African government.

To date, African states have been concerned with the three methods while the fourth - economic sanctions - falls within the jurisdiction of the United Nations. Meanwhile, Anglin suggest a fifth method, namely, accommodation of the regime as a legal entity

within the O.A.U.²⁵ Although his suggestion is pertinent to a case for mutual co-existence of the different races within the territory, the question is: co-existence on what basis? In my opinion, nothing short of the political reality of the geo-political structure of the territory answers the question - i.e. mutual co-existence based on black majority rule.

Efforts to bring the leaders of the South African regime to a political negotiating table was initiated by late President Nkrumah of Ghana during the early years of his country's independence. He extended an invitation to the South African government during Ghana's independence celebrations in 1957 to which there was a positive response although the proposal by Nkrumah to promote closer diplomatic, political, economic, social and cultural relations was kept in abeyance by the South Africa government at the time. More so, the regime also declined to attend the first Conference of Independent African states held in Accra - Ghana in 1958.

As late as October 1959, South African Foreign Minister Louw was invited to visit Ghana as part of an exchange of ministerial delegations which it was hoped might lead to agreement on reciprocal diplomatic representation. All this changed, however, following the Sharpeville massacre in 1960 and the withdrawal (which Nkrumah regretted) of South Africa from the Commonwealth the next year.

President Kaunda of Zambia is one of the five African statesmen who have attempted a political negotiation with the racist regime mainly because of his philosophy of christian humanism, national interests, and geo-political position. Kaunda detests violence, whether physical or institutional, and it deeply offends his keen sense of justice and human dignity.

Zambia's economic dependence or interdependence on its southern neighbours and military inferiority cannot be lightly dismissed. Its strategic location and as host state for liberation movements against white South African regimes, its relative wealth, political stability, progressive politics, dynamic leadership and

credibility in OAU circles as a militant Pan-African state are all variables worthy of careful consideration.

Zambia's efforts to explore a peaceful solution to the Southern African problem could be classified in three periods. First, during 1964, Kaunda sought to buy a South African diplomatic and military concessions in return for specific modifications in South African Policy. In effect, he initiated an abortive attempt to exchange ambassadors with South Africa - the purpose being to bring about a "change of heart" by the South African government's racial policies to "something better".²⁶

Kaunda's suggestion for exchange of ambassadors as reported,²⁷ angered rather than appeased South African leaders. He was suspected by them for smuggling a trojan horse into the Republic in the shape of a black diplomat and his offer interpreted as a threat. When challenged by member states of the OAU to reconcile his proposal with the Organization's policy, Kaunda disclaimed any inconsistency but added that "it was another way of fighting the same battle - the difference lay in the means and not the ends".²⁸ Thus, diplomatic immunity was conceived as an instrument to penetrate the South African laager and pierce the armour of apartheid.

In the meantime, Pretoria had rebuffed two private Zambian initiatives during this period. On the first occasion, Kaunda wrote President Swart appealing to him "very quietly" as the UN Secretary-General had done publicly to commute the death sentences handed down on three freedom fighters convicted in March 1964 of sabotage and murder. Swart did not bother to reply, or even acknowledge the letter and in due course, the men were executed.

Later, in June 1964, following the sentence of life imprisonment passed on Nelson Mandela and seven other leaders of the African National Congress, Kaunda cabled Swart to ask that these and other South African nationalists, including Pan-African Congress leader Robert Sobukwe, be sent to Zambia in return for an undertaking that Zambia would not be used as a base for subversion against South Africa. This amounted to offering a kind of non-aggression pact. Again, there was no acknowledgement. Kaunda was, in fact, treated

as a fool - a clean manifestation of the South African whites arrogance and the belief that black South Africans lack leadership qualities.

Secondly, following Vorster's accession to power in 1967, and the enunciation of the "separate Development" and "Outward" looking foreign policies, Pretoria revised its stand on black diplomats, But Zambia, unlike Malawi, was no longer interested. In the intervening period, the domestic racial policies of the South African regime had hardened further, and Kaunda could no longer see how Zambian diplomats could in any way help in that situation.

Vorster persistently continued with his question of establishing good relations with Zambia and this took the form of an extensive exchange of correspondence between Vorster - Kaunda focused on the ideological and political impediments to co-operation. The Rhodesian (Zimbabwe) and South-West Africa (Namibia) situations were the key areas of discussion and disagreement. Vorster's intimation (through an intermediary) of his willingness to discuss a settlement of the Rhodesian situation on the basis of eventual majority rule, led to Kaunda's proposal in mid August 1968, of a "full and free referendum" to test the true opinions of the people of Zimbabwe.

Kaunda further proposed that it should be country-wide in scope, that political detainees should be released and fundamental freedoms restored, that the nationalist parties should in return forswear violence, and that the whole operation should be subject to international supervision. For this latter purpose, he suggested a commission composed of Britain, Canada, India, Kenya, and Sweden as well as South Africa and Zambia.

In the long run, nothing came out of this initiative, possibly because by then the freedom fighter offensive had lost its momentum. In any case, Vorster drew back and declined to intervene effectively in the Anglo-Rhodesia negotiation. As a result, Smith and Wilson were left to battle themselves to a stalemate on board HMS "Fearless" in October 1968. Nevertheless, Vorster continued to exude optimism. In public, he repeatedly assumed Zambia of his fervent desire for friendship and in private, he confidently predicted that, faced with

the realities of Zambia's continuing economic dependence on the South, Kaunda would in due course come around.²⁹

Apparently, Vorster's preoccupation at the time as confirmed by one commentator, was the wooing and seduction of Zambia and its president, Dr. Kenneth Kaundaa masterplan aimed at creating a buffer swathe right across Africa's waist so that the penetration of militant black Africans can be kept well at bay".³⁰

Meanwhile, in April 1969, the Summit Conference of East and Central Africa states meeting in Lusaka issued what is now known as the "Lusaka Manifesto on Southern Africa" which was adopted by both the OAU and the UN General Assembly. Presidents Nyerere of Tanzania and Kaunda of Zambia were its principal authors.

This historic document affirmed that on the objection of liberation, there could be neither surrender nor compromise; it advocates for negotiation rather than war or violence, and finally, it advocates for an end to the violence against human dignity which is now being perpetrated by the oppressive racist regimes in Southern Africa.

South Africa's reaction to this initiation was negative. Vorster, in addition to denouncing the Manifesto, embarked on the strategy of character assassination of Kaunda as a double-face leader. Threats by Kaunda to expose some of the letters exchanged between Vorster and himself within this period forced Vorster to adopt another strategy of operation "dialogue" in October 1969. This strategy aimed at convincing black Africa, in return for economic benefits, to recognize the regime for what it is. This amounted to an attempt to internationalize apartheid by elevating its concept of "Separate Development" and "Outward" policies to the level of state actors. Only Presidents Banda of Malawi and Houphouet-Boigny of Ghana bought the idea. Most African states were ardently opposed to it.

Zambia's third effort to bring about a peaceful solution to the Southern African situation was in 1974 when Vorster, realizing the collapse of the Portuguese colonial rule in neighbouring Mozambique and subsequently Angola, declared that a measure of

co-operation was required between the several governments in the region of a peaceful transition to majority rule in Rhodesia. By this declaration,³¹ Vorster publicly committed his government to a policy of "détente" - the essential objective of which was to promote a durable, just and honourable solution.

Dr. Kaunda quickly responded to Vorster's declaration by describing it as "the voice of reason"³² emanating from the Republic. He further added that the declaration offered him and his fellow black presidents in Mozambique, Botswana and Tanzania some advantage in cooperating with their traditional enemy for the achievement of a specific and limited objective - namely the decolonization of Rhodesia.

Support for détente crossed party line in South Africa, and here the role of the Afrikaans press appears to have played a crucial part in explaining the realities of South Africa's position after the collapse of Portuguese rule in Angola and Mozambique and the corresponding increase in Rhodesia's vulnerability to guerrilla infiltration on its eastern border. This domestic consensus was also a reflection of a growing conviction that the government was attempting a positive and dynamic role in the region in sharp contrast to the defensive and negative posture that had characterized its role in international society in earlier decades.

Moreover, détente was seen as the logical extension of the "outward movement" of South Africa's foreign policy - a diplomatic effort acknowledged and supported in Western capitals which led to the visit of Mr. Callaghan, then British Foreign Secretary, to Port Elizabeth to confer with Mr. Vorster in January 1975.

The heady atmosphere in which these initiatives were launched encouraged a range of interpretations both with respect to the motives governing the behaviour of the various participants in the initial phase of the détente exercise and the consequences that would attend success or failure over the long term. The more optimistic reading implied an agenda of priorities for the government which took as its starting point the change in the balance of

power represented by Portuguese withdrawal from the region. Hence the incentive to liquidate commitments in Rhodesia and Namibia in an orderly manner and gain time for the initiation of major changes in the structure of relations between black and white in the Republic.

Furthermore, if this process of liquidation were to be both cause and effect of a measure of diplomatic accommodation between Pretoria and its northern neighbours, the pressures for internal change emanating from the signatories of the Lusaka Manifesto of April 1969 would be based on a more realistic appreciation of what could be done within South Africa in contrast to the sterile, ideological exchanges that had characterized relations in the past.

Indeed, the terms of the Manifesto, especially the emphasis on the willingness of the signatories to 'negotiate rather than destroy, to talk rather than kill' should 'changed circumstances' indicate a prospect for peaceful rather than violent change, were regarded as crucially relevant to an understanding of the détente policy.

Hence, it was claimed, détente abroad would inexorably lead to détente within as Mr. Vorster's government came to recognize the indivisibility of foreign and domestic policy to the extent that maintenance of good relations with its new-found partners (after a successful resolution of the Rhodesian and Namibian issues) would depend on a commitment to promote meaningful changes in the political and economic status of the African majority at home.

This interpretation of détente rested on the further assumption that the achievement by peaceful means of majority rule in Rhodesia by the joint efforts of the neighbouring states and the establishment of a government sympathetic to South Africa in Namibia (after a devolution of power to those elements in the territory willing to negotiate on Pretoria's terms) would provide a basis for further co-operation especially in economic matters.

Thus, détente was regarded as the first step towards the creation of a regional community of states - in itself a traditional aspiration of South African policy-makers who have always assumed that the benefits of such co-operation with a powerful and rich

neighbour would in time become self-evident to the poor, weaker states on the Republic's periphery.

But South Africa's military intervention in the Angolan crisis of 1975-76 appeared to be a blunder. It also seemed out of character for a government purported to be devoted to the principle of non-intervention; and which had made a major effort with considerable success to act otherwise. The decision to become involved in assisting the UNITA/FNLA alliance was made easier by the realization that another important neighbour of Angola, namely Zaire, was also vitally interested in preventing the Soviet-backed MPLA from achieving domination, while Zambia was committed to a coalition of the three liberation movements.

Another important element in the South African approach was the belief that the government was acting in the interests of the West, particularly the United States, which was then supporting the Anti-MPLA forces too- until the congressional decision to cut off support in December 1975. Whether there was actual encouragement from any source in the U.S. Administration is not known (and officially it has been denied that any U.S. "approval" was given.³³ But at least the indications are that there was no positive discouragement, and that the indications are that in fact the South African presence suited American policy by implication of the latter's policy of "communication" with the racist regime in South Africa.³⁴

It must be added, however, that the South African government was apparently misled to some degree at least, into these miscalculations, and there was considerable bitterness expressed in South Africa after both the United States and Zambia supported condemnations of the South African Angolan involvement in the U.N. Security Council debate at the end of March 1976. For instance, the South African Foreign Minister commented in a speech in Parliament on April 26, 1976, that "the Western attitude is one of uncertainty, indecision, powerlessness, if not one of defeatism" and that "Angola has demonstrated that in times of crisis we cannot rely on the West in general and on the U.S. in particular, and that at least we know where we stand now."³⁵

The failure of the détente policy to produce the hoped-for results in Rhodesia has sorely strained the constructive relationship being developed with Zambia, and President Kaunda has accused Mr. Vorster of preventing majority rule by refusing to take effective action. President Kaunda's attitude has also been hardened by South African incursions into Zambian territory.

In effect, the pursuit of a flexible diplomacy - the essence of détente - was made much more difficult and such allies as South Africa possessed on the African continent were embarrassed at the OAU and the UN. In this light, I am inclined to agree with Spence³⁶ that it is a truism of strategic theory that successful intervention by military means required a careful and prior definition of the political objectives sought clear, unambiguous and limited terms.

Furthermore, as the experience of the great powers since the World War II amply demonstrates, successful intervention depends not simply on relating military means to political ends, keeping the former subordinate to the latter, but also on the possibility of rapid disengagement whether or not the original objective is attained. Here, the speedy withdrawal of South African forces in Rhodesia and Angola in 1975 was a reasonable decision.

Apparently, the most significant and far-reaching implication of the Angolan conflict, however, was and is still the direct involvement of non-African powers in the domestic and regional disputes of Southern Africa. New dimensions, including super power rivalry, have thus been introduced into the Southern African situation. It is no longer possible to look simply for regional solutions; and for South Africa and other countries the circumstances in which their foreign policies must operate have now changed. These new circumstances, which include the diplomatic initiatives of the U.S. former Secretary of State, Dr. Henry Kissinger, are affecting the region's most critical issue, Rhodesia, as well as the issues of South West Africa (Namibia) of South Africa's internal political development, and of the future political stability of both Mozambique and Angola.

In a famous passage in his classic work, On War, Clausewitz

talks of war between states as embodying a reciprocal relationship. War, he claims, "is an act of violence pushed to its utmost bounds; as one side dictates the law to the other, there arises a sort of reciprocal action, which logically must lead to an extreme".³⁷ With a little ingenuity, this proposition can be applied to the subject under discussion: the use of force in Angola strengthened the hands of those - especially in the liberation movements - who have never doubted that the final solution of Southern African problems must be by violence.

Correspondingly, it has weakened the attempts of the African nationalist leaders within Rhodesia to keep those movements under control. In these circumstances it became increasingly difficult for politicians - whether black or white - to keep the diplomatic lines open, to resist pressures both from within and without to define the situation exclusively in military and bellicose terms. In this context we should bear in mind the premise on which the South African view of détente was based - that in time there would occur a mutual recognition by black and white leaders in the region of the need to redefine relationships in political and diplomatic terms in order to replace seemingly outmoded postures of ideological antagonism and military confrontation.

Yet there can be no doubt that the Republic's image as a stable policy has been profoundly affected by the disturbances which broke out in Soweto in June 1976, and rapidly spread to other urban areas. These have called into question the entire basis of government policy; indeed this combination of external and internal developments - the Angolan intervention (the product of short-term calculation) and the urban riots (the product of a long-standing malaise in the body politic) - have conspired to put the Republic on the defensive and reduce its credibility as an agent of peaceful change in Southern Africa as a whole.

No longer, therefore, does the Republic have the capacity to manipulate its domestic and external environment which was so characteristic of its position in the 1960's and early 1970's. The Angolan and Soweto events fused together have damaged beyond repair

the aspiration, embodied in the "outward movement" to keep foreign and domestic policy separate with respect both to the implementation of policy and its consequences.

Thus, the Republic, in sharp contrast to its position in earlier decades, now increasingly finds itself having to react to events both within and without its borders and being forced into situations where choices have to be made and where there is always the possibility of major error. It is in this connection that the international community has been increasingly concerned about the credibility of the continuous existence of the racist regimes in Southern Africa.

B. International Pressures

(i) Theoretical Approach

The situation in Southern Africa was identified as a problem area since the inception of the League of Nations in 1919, and the problems encountered by this Organization was subsequently inherited by the United Nations Organization during its formation in 1945 and the Organization of African Unity in 1963. These organizations' efforts against colonialism and apartheid have been based on the concept of collective delegitimization - a declaration by a group of states that the action of another (member) state is not in accord with the rules of international law.

The concept of collective delegitimization is an outgrowth of the literature on legitimacy. Seymour M. Lipset gives perhaps the best definition of legitimacy:

"the capacity of a system to engender and maintain the belief that the existing political institutions are the most appropriate ones for society."³⁸

This definition is really limited to the concept of internal legitimacy. Perhaps a more comprehensive definition of legitimacy, for the purpose of this paper, should be based on the more common

usage of the word - "as correct, proper, or just", i.e. in accordance with the rules and traditions of the particular society in question - in this case, the Southern African society.

Legitimacy, internal or external, could thus be defined as the belief of a society's members that an action, policy or government is in accord with the rules and traditions of that society. Internal legitimacy is essential for the continued existence of any government. Failure of a government to gain legitimacy in the eyes of its people will undermine it and make it susceptible to revolution. External legitimacy is not as essential to the continued viability of the state; it is conceivable that a government or state survive without it. Thus, one state can declare the policies or actions of another state's government somehow illegitimate without threatening that state's existence.

The question here is to ascertain whether or not such declarations, i.e. collective delegitimization could have any effect on the Southern Africa racist regimes. If not, why? And if yes, how? First of all, it is important to bear in mind that delegitimization must be based on some standards. Any declaratory statement must first identify those rules and regulations of the international arena which have been infringed.

Standards for internal legitimacy are not difficult to find, e.g. a nation's constitution, written and unwritten, together with its customs, habits, mores and traditions. Standards for external legitimacy are more difficult to establish because international law is neither universally accepted nor obeyed although international treaties have certainly provided some acceptable standards.

At the advent of the UN, this rather vague and arbitrary system of standards was formalized, the UN Charter became basis for a collective determination of the legitimacy of the policies, actions, or governments of states. Policies or actions in accord with the Charter or with UN resolutions based upon the Charter are considered legitimate. Other policies not in conformity therewith are declared illegitimate.

Thus, South Africa has been condemned for its policy of

apartheid because it contradicts the UN Charter principles reaffirming the equality of all men and their right to self-determination. UN is not a legal institution, however, the Charter has not established a legal standard for collective delegitimization. United Nations' standards are actually a unique mixture of both the political and the moral standards operative in the international arena at any given time.

In other words, the UN is not an impartial organization objectively assessing and considering each international conflict as it arises, but a political body reflecting the "interests" of its membership. Selection of issues is based on subjective, not objective grounds. So, the UN is neither an arbiter of international law, nor the moral conscience of mankind, but a convenient international forum in which a state can discern the policies and opinions of its fellow states and make known its own.

However, "it is important to realize that a resolution of collective delegitimization is generally a combination of two factors: it is, first, a joint declaration by a group of states that their own actions toward the object state are in accord with international law and authorized to continue in the future, and second, a declaration that the object state's policies or actions are not".³⁹ Such a collective legitimization has its beneficial effects, and even those states that do not actually require this approval may want it.

In the case of collective legitimization the number of states supporting a resolution is indeed more important than the respective positions of the individual supporters. On the other hand, in the case of collective delegitimization of an object state, the situation is different; when a majority of UN members judge that certain actions or policies of a state are wrong, the position of individual states within that majority become important. A state will not be concerned if only its foes vote to delegitimize its government or policies while neutral states and allies vote against the resolution or abstain. Every object has had a hard core of opponents allied against it, and a resolution supported by

these states and no others is of little consequence. Only when an object state's foes gain the support of neutrals, or worse, that state's allies does, it has reason to be concerned.

(ii) Practical Approach

These characteristics of the concept of collective legitimization or delegitimization have governing the voting behaviour of Great powers who also have veto powers in the UN namely U.S., U.K. and France on issues relating to the question of the eradication of colonialism and apartheid in So-th Africa.

By May 1963, when the OAU was established, the pre-occupation of the United Nations with questions of colonialism and apartheid had come to include not only the promotion of moral, political, and legal rights of peoples in the territories concerned but also the removal of any danger to international peace and security resulting from an absolute denial of those rights.

The OAU Member States and their many supporters at the UN have tried to persuade the UN Organs to move from the stage of adopting merely exhortative resolutions to that of imposing mandatory economic sanctions and, in certain cases, even the use of force. But the differences that have emerged among UN Member States, especially between the African States and some permanent members of the Security Council, as to the extent of the danger to peace and the measures required to remove such danger have tended to create points of incongruence in OAU's relations with the Security Council. The extent of agreement (or disagreement) over the two issues - imminence of the threat to peace and the collective measures required - varies from case to case.

For the OAU and for the majority of States in the General Assembly, the solution to the problem in Southern Africa depends upon the determination of Member States to impose economic sanctions against South Africa. In their view, such action can be further justified in terms of the need to stop Southern Africa from undermining the effectiveness of the economic sanctions against Rhodesia

as well as the need to remove the danger to international peace and security posed by South Africa's policy of apartheid which is spreading beyond its borders.

Although the problem of South Africa's racial policies has been considered in the General Assembly, in one form or another, since 1946, it was only after the Sharpeville Incident of 1960 - the large scale shooting of peaceful anti-apartheid demonstrators - that its implication for international peace and security have become recognized by the United Nations.

In April 1960, three years before the establishment of the OAU, the Security Council met at the request of the African and Asian States and adopted resolution 134 (1960) (by a vote of 9 to 0, with France and U.K. abstaining) declaring that the situation in South Africa "is one that has led to international friction and if continued might endanger international peace and security". It was then that the Security Council itself overrode for the first time South Africa's arguments that its apartheid policy was a matter of domestic jurisdiction.

In November 1962, the General Assembly adopted resolutions 1761 (xvii) (by a vote to 67 to 16, with 23 abstentions), which closely resembled one adopted by the Conference of Independent African States held in June 1960. The resolution requested Member States, separately or collectively, to apply diplomatic and economic sanctions as well as an arms embargo against South Africa. It also established a Special Committee to keep the apartheid policies of South Africa under review.

The Security Council met twice in 1963, and once in 1964, to consider the situation arising from apartheid but was not reconvened until 1970, on this problem, partly because the main pre-occupation had shifted during 1965/1966 to Southern Rhodesia (Zimbabwe) and South West Africa (Namibia).

At the Security Council, in August 1963, the non-permanent members from Africa and a delegation from African Foreign Ministers from the OAU sought not only to ensure that the Council would call upon the South African government to abandon its policy of apartheid

and release all political prisoners, but also to ensure that the Council would call upon all States to take the following measures against the recalcitrant government:

- (i) an arms embargo, including a halt of all assistance to South Africa's growing armaments industry;
- (ii) severance of diplomatic, consular, and other official relations with South Africa; and
- (iii) comprehensive mandatory economic sanctions including cut-off of all transport and communications.

This initiative by the OAU delegation culminated to the adoption of Resolution 181 of 1963 (France and U.K. abstained) calling upon all States to stop the sale and shipment of arms, ammunitions, and military vehicles to South Africa; a non-mandatory ban (Resolution 182 of 1963) included equipment and materials for the manufacture and maintenance of armaments.

When the Security Council met in June 1964, an "Expert Committee" including Members of the Security Council, was created to undertake a technical and practical study of the feasibility, effectiveness, and implications of measures which could be appropriately taken by the Council under the UN Charter. In February 1965, the Expert Committee reported that it had been unable to reach full agreement.

The majority in the Committee - Bolivia, Brazil, the Republic of China, Norway, the U.K., and the U.S. - concluded that while South Africa would not be readily susceptible to economic measures, it was not immune to danger from such measures. The degree of effectiveness of economic measures, according to them, depend directly on the universality of application and on the manner and duration of enforcement.

On the other hand, the minority - Ivory Coast, Morocco, Czechoslovakia, and the USSR - maintained that sanctions of an economic and political nature against South Africa would unquestionably be feasible and would induce the South African authorities to

abandon their racial policies. The report of the Expert Committee was never considered by the Security Council; apparently, the Committee's failure to recommend common conclusions had undermined any chances for a consensus at the level of the Council.⁴⁰

The General Assembly Resolutions 2054A (xx) adopted in December 1965 and 2396 (xxiii) adopted in December 1968 do not only underscore economic sanctions as the only means to achieve a peaceful solution to the apartheid problem in South Africa, but also condemns all trading partners with the regime. France and the United Kingdom being principal culprits.

When the question of South Africa was brought before the Security Council in July 1970, it became difficult even to maintain the level of agreement on measures against South Africa reached in 1968. The Council was concerned at the request of forty States, including thirty-six OAU Members, to consider the problem of violations of the arms embargo against South Africa in force since 1968, and particularly the declared intention of the U.K. to export to South Africa certain limited categories of arms for maritime defense.

The acrimonious debate between the African States and the major Western Powers over alleged violations of the arms embargo by the latter, especially France and the U.K. revealed that the 1963 consensus on the arms issue had been eroded.

Although under the pressure of the OAU Members and Asian States in the Security Council, culminating to the adoption of Resolution 282 (1970) which strongly condemned all "violations of the arms embargo called for "in previous resolutions and called upon States to implement it "unconditionally and without reservation whatsoever."

In addition, it urged States to strengthen the arms embargo: by withholding the supply of all vehicles, equipment, and spare parts for the use of the armed forces and paramilitary organizations of South Africa; by revoking all licences and military patents granted to South Africa; and by ceasing all other forms of military co-operation with South Africa. Even though there were no negative votes on the resolution, France, the U.K. and the U.S. abstained.

The lack of active support from the three States could be regarded as a major setback at a time when there was an urgent need not only for an arms embargo but also for economic sanctions against South Africa. However, this setback was alleviated during the Addis Ababa session of the Security Council in January / February 1972, when a five Power draft resolution relating to apartheid (sponsored by Guinea, Somalia, Sudan, India, and Yugoslavia) was adopted as Resolution 311 (1972), with the support of the U.K. and the U.S. - excluding France which continued to abstain.

After expressing in the preamble of the resolution its grave concern that the situation in South Africa "seriously disturbs international peace and security in Southern Africa", the Security Council expressed for the first time in an operative paragraph its recognition of 'the legitimacy of the struggle of the oppressed people of South Africa in pursuance of their human and political rights as set forth in the Charter of the U.N. and the Universal Declaration of Human Rights and urged governments, organizations, and individuals to contribute generously to the United Nations Fund used for humanitarian and training purposes to assist the victims of apartheid. It also called upon all States "to observe strictly" the arms embargo but refrained from reiterating its recommendation of 1970 that they cease all forms of military cooperation with South Africa.

Notwithstanding, South African government on October 19, 1977 decided to intensify its repressive mechanisms characterized by the arrests of Percy Qoboza - Editor of the "World's" largest black newspaper in South Africa, Donald Woods, Editor of the white Daily Dispatch and the death of Steve Biko, leader of Black Revolutionary Movement.

The Security Council Resolution of November 4, 1977, reaffirmed that of 1972 and called for punitive sanctions which U.S. Ambassador Young describes as a "clear message"⁴¹ that continuous infringement of human rights might eventually lead to the use of economic sanctions against the South African government".

Conclusion

One thing seems clear - there is universal awareness of the fact that the situation in Southern Africa is very dangerous to international peace and order. The illegal and inhuman practices of the racist regimes have exceeded their bounds which have also provoked intensified guerrilla warfare within the region. The precarious state of affairs makes continuous foreign economic investments in Rhodesia or South Africa a risky venture.

Limiting foreign trade with South Africa and other diplomatic and economic sanctions are not only reasonable and suitable means to be used in bringing about a peaceful solution of the racial conflict in the region but should be viewed as the civilized method common to all nations which claim to be civilized. Canada has taken the lead. More "big powers" should follow same.

Delay may only mean severe destruction of human lives and property because the eradication of colonialism and apartheid in Southern Africa is a task that must be accomplished either by war or through peaceful negotiations. The legality of the policy of apartheid and its supporters within the region should be another aspect of careful attention after peace has been attained. A prosecution of the leaders of the illegal racist regimes based on the precedent established in the Nuremburg Trials will not be considered as a departure from the principles of international law.

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